1949. **File No.** Karnataka legal Department. University I

B **BRANCH** 49 CR

**Subject:—** Rules

Under the Karnataka University Act- 1949

P175

Karnataka University II/49 CR

**File No.**

Gen.194—3333—1,00,000—9-49—

624

15408 of 194

Received in Pomo on 20/9

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The Registrar, Karnatak University, should have sent the letter and the draft Provincial Statutes and Election Rules to the Secretary to Government, Education Department for submission to H.E. the Chancellor for his approval. The R.L.A. only can advise the Educational Department if so required on the suitability of the Statutes and Rules. The letter and the accompaniments thereof may therefore be transferred to the Education and Industries Department. The necessary O.C.& F.C. of the memo. have been signed by me.

As the letter addressed to the R.L.A. and as the Vice-Chancellor has seen the R.L.A. in Bombay in connection with the Provisional Statutes this note is put up for information.

The draft Statutes will be examined if so required by the E.& I.D. and submitted to the Addl.Secy.

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RLA

The Registrar may also be informed that the papers are transferred to the Edn. Dept who will after their administrative scrutiny send them to the R.L.A. if necessary, and that they will be attended to with Expedition

Mr Patwardhan was to see me today; but he could not

not perhaps do so owing
to the dislocation of traffic. If
he sees me, I shall also inform
him accordingly

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No. 101- L

Legal Department,
Council Hall, Poona, 24/4 September 1949

To

The Registrar,
Karnatak University,
South Wing,
Town Hall,
BOMBAY.

Subject:- Provisional Statutes and Election Rules of the Karnatak University.

Sir,

With reference to your letter No.11-185, dated the 17th September 1949, on the above subject, I am directed to state that your letter along with the accompaniments has been transferred to the Education Department as it is for that Department to obtain the approval of the Chancellor to the Provisional Statutes and Election Rules. If necessary that Department will consult the Remembrance of Legal Affairs after ~~its~~ their administrative scrutiny. The papers when received in this Department will be attended to with expedition.

Yours faithfully,

o/c KJP

for Secretary to Government.

Subbh. for sign

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# PROVISIONAL STATUTES AND ELECTION RULES.

Under Section 65 (2) (a) of the Karnatak University Act No. XX of 1949.

Preliminary Definitions. Section 2 (10) (12).

St. 1. For the purposes of the Provisional Statutes the term 'Secondary Teachers' shall mean teachers imparting instruction for not less than 12 hours a week in a high school in the University Area;

St. 2. (12) The term 'Head Master' shall mean the head of a High School;

St. 3. (3) The term 'Teachers' shall mean (i) Professors, Readers, Lecturers, demonstrators and tutors imparting instruction for not less than 4 hours a week in a college in the University area affiliated to the Bombay University;

(ii) Every person who is appointed or recognised as a teacher of the University and

(iii) Every member of the teaching staff of a recognised institute in the University area.

## AUTHORITIES OF THE UNIVERSITY.

(Chapter IV of the Act).

### THE SENATE.

Constitution:

St. 4. The following associations shall elect one member each under the provisions of Section 15 (1) Class II (A) (iv) (e).— (Enclosure I).

St. 5. Two members by the following literary associations under the provisions of Section 15 (1) Class II (A) (iv) (g):— (Enclosure II)

St. 6. Two members by the Karnatak Chamber of Commerce from amongst its members under the provisions of Section 15(1) Class II A (iv) (h).

St. 7. For the purpose of the Election of ordinary members, a person, entitled to stand as a candidate or to vote in more than one constituency mentioned in Sub-clause (i) (A) Class II of Section 15(1) shall elect the constituency from which he desires to stand as a candidate or to vote at the election before the date fixed for the scrutiny of nominations.

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St. xxxx 8. If a person entitled to stand as a candidate or to vote in more than one constituency mentioned in Sub-clause (i) (A) Class II of Section 15(1) does not communicate to the Registrar the constituency he elects before the date fixed for the scrutiny of the nominations, he shall be deemed to have elected for that constituency in which his name is registered and which stands highest in the list of constituencies mentioned in the ~~xxxx of~~ Sub-clause (i) (A) Class II of Section 15(1).

St. xxxx 9. Donors to the University shall elect one member under the provision of Section 15(1) Class II (E) and one member under the provision of Section 15(1) Class II (F).

## ELECTIONS TO THE SENATE.

St. xxxx 10. All elections to the Senate shall be held in accordance with the system of proportional representation by means of a single transferable vote and in the manner prescribed in the Election Rules

St. xxx 11. In the case of elections to the Senate under Section 15(1) Class II (A) (i) and (A) (ii) at least 35 clear days before the date of election, the Registrar shall have a roll prepared of all those entitled to vote thereat, and not less than 21 clear days before the date of election, shall send to all those whose names are entered in the respective rolls, a notice of election to be held by post in accordance with the procedure prescribed in the Election Rules. In the preparation of the roll of secondary teachers of High Schools (excluding the head masters thereof) the names of only such secondary teachers (vide Statute ~~14~~) shall be included in the roll as are on the date of its preparation, members of the teaching staff of a High School as defined in sub-section (4) of section 2 of the Act. In the case of Headmasters, the rolls shall include the names of Headmasters only of High Schools as defined in sub-section (4) of section 2 of the Act, and not more than one name shall appear as the Headmaster of any High School.

St. xxxx 12. In the case of elections to the Senate by teachers from amongst themselves, under paragraph (A) (iii) of Section 15(1) Class II at least 35 clear days before the date of election, the Registrar shall have a roll prepared of persons defined as teachers (Vide statute 1(3)). Election from this constituency shall be held

held at all centres where colleges are situated, and in the notice of election, places shall be notified where the voters will go in person to vote. For each centre of election, a place of polling shall be fixed, a Returning Officer shall be appointed and he shall be held responsible for the conduct of the election in accordance with the instructions issued to him.

St. ~~xii~~ 13. In the case of elections of ordinary members of public association or bodies named in ~~Classes~~ subclauses (a), (b), (c), (d), (e) and (h) of paragraph (A) (iv) of Section 15(1) Class II, at least 30 clear days before the date of election, the Registrar shall prepare a list of the public associations and bodies entitled to a representation on the Senate and not less than 21 clear days before the date of election, the Registrar shall notify to the public associations and bodies whose names are entered in this list that an election of their representative to the Senate of the University is due, indicating, at the same time, the date by which the result of the election shall be communicated to the University.

St. 14: In the case of the election of ordinary members under clauses (f) and (g) of paragraph (A) of Section 15(1) Class II, the Registrar shall, at least 35 clear days before the date of election, prepare the rolls of public associations and bodies entitled to vote and shall notify at least 21 clear days before the date of election to each of the public associations and bodies concerned that an election of their representatives is due to be held and shall invite nominations therefor before an appointed date. The election shall be held in the manner prescribed in Rule 31 of the Election Rules.

St. ~~xiv~~ 15. (1) All graduates of any Indian University established by law whose place of birth is in the University area or who ordinarily reside or carry on business in the University area, on payment of rupees five shall be entitled to have their names enrolled in the registers of Registered Graduates and to vote at the election of members from the Registered Graduates' Constituencies according to the provisions of Section 15(1) Class II (A) (iv) (i): provided that

(2) i) they apply to the Registrar in the prescribed form.

ii) produce evidence to the satisfaction of the Registrar of their having taken the degree and

iii) submit such details as will enable the Registrar to enroll them in one of the constituencies (1), (2), (3), (4) of (i), (ii) 15(1) Class II A.) / more

St. ~~15~~ 16. (14) For the election of ~~re~~ ordinary members under (11 sub 1/2) 1, 2, 3, 4 of Clause (i) of paragraph A (iv) of Section 15, Class II, the notice of election shall be published in the Bombay Government -- Gazette and in newspapers to be selected by the Vice-Chancellor at least 21 days before the date of election and the Registrar shall invite nominations therefor before the last date fixed for receiving nominations.

St. ~~16~~ 17. (15) In respect of nominations to be made under paragraph (B) under class II in section 15(1), the Registrar, shall not less than 21 clear days before the due date for nomination, communicate to the Chancellor the due date of nomination and the recommendations of the Vice-Chancellor and request him to furnish not later than the due date, the names, ~~degrees and addresses~~ of the persons nominated by him.

St. ~~17~~ 18. (16) In respect of paragraph (C) under class II in Section 15(1), a list shall be maintained by the Registrar of all donors entitled under the provisions of this paragraph to serve as members of the Senate. Each one of those whose names are so entered in the said list shall be requested by the Registrar to intimate to the -- University whether he will be willing to serve as a member of the Senate. If a reply is received in the affirmative, the person concerned shall become a member of the Senate from the date of receipt of such reply.

St. ~~18~~ 19. (17) In respect of nominations to be made under paragraph (D) under class II in section 15(1), the Registrar shall request the body referred to therein to intimate to the University within 35 days of the receipt of such request from the Registrar, the name degrees and -- addresse~~x~~ of its nominee to serve as a member of the Senate and from the date of receipt of such intimation, the person so nominated shall become a member of the Senate. The Registrar shall prepare a separaate list of bodies referred to in this paragraph showing against each of them the date of acceptance by the Syndicate of their respective donations.

St. ~~19~~ 20 (18) For the election by donors under paragraphs (E) and (F) under class II in section 15(1) the Registrar shall maintain list of persons entitled to vote in accordance with the qualifications

qualifications laid down therein. The Registrar shall notify at least 21 clear days before the date of election to each of the persons included in the lists that an election of their representatives is due to be held and shall invite nominations therefor -- before an appointed date.

## PROCEDURE AT MEETINGS OF THE SENATE

(Vide Section 27 (viii) of the Act.).

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St. ~~20xx21~~ Meetings of the Senate shall be held in the University premises unless the Chancellor or the Vice-Chancellor otherwise -- directs.

St. ~~21xx~~ 20 22. The Chancellor, or in his absence the Vice-Chancellor or in the absence of both, a member elected by the meeting, shall preside at the meetings of the Senate. The senior member present shall take the Chair for and until such election only.

St. ~~22xx~~ 21 23. Twenty members of the Senate shall form a quorum and all questions shall be decided by a majority of votes of the members present, the Chairman, in the case of an equality of votes, having a second or casting vote.

St. ~~23xx~~ 22 24. Such proposals and amendments only as are immediately connected with the Karnatak University and are in accordance with the Act shall be entertained and debated in the Senate.

St. ~~24xx~~ 23 25. Sixteen fourteen clear days before the day fixed for a meeting of the Senate, the Registrar shall forward to each member of the Senate a statement of business to be brought before the meeting and of the terms of all Resolutions to be then proposed, together with the name of the proposer of each, intimation in writing of which has previously reached him. The inclusion of a Report of any Committee of the Senate in the Agenda paper shall be held to be equivalent to the notice of motion for its adoption.

St. ~~25xx~~ 24 26 When a motion which has been moved by a member of the Senate is referred by the Senate to the Syndicate for report and the report of the Syndicate thereon comes before a subsequent meeting of the Senate for consideration, the report of the Syndicate shall take the place of the original motion, and its adoption shall be moved as a motion recommended by the Syndicate. Notwithstanding

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Notwithstanding anything contained in the Statutes, the mover of the original motion or any other member may move an amendment that the report be recorded and that the original motion be accepted.

St. ~~26~~x 25 ~~27~~ Notice in writing of the proposed amendments and the terms thereof and of motions for any change in the order of business as set forth in the statement must be forwarded so as to reach the Registrar eight clear days before the day of meeting.

*(Clear days means days exclusive of the day on which notices reach the Registrar and of the date of the meeting. Thus, if the meeting is fixed for Thursday and "five clear days" notice is required, the notice must reach the Registrar on the previous Friday, if for Saturday, the notice must reach him on the previous Saturday).

St. ~~27~~xx 26 ~~28~~ The Registrar shall five four clear days before the day of the meeting, forward to each member of the Senate a statement of all the motions and amendments; and no motion or amendment, of which such notice has not been given, shall be put to the meeting, other than a motion for dissolution, adjournment, or suspension of the sitting, for passing to the next business on the statement, for directing the Syndicate to view their decision for referring the matter under consideration to the Syndicate, Academic Council or a Faculty for report, or an amendment accepted by the Chairman as merely formal.

## ORDER OF BUSINESS.

St. ~~28x29~~ 27 Each member, before he takes his place, shall register his attendance in a book placed for the purpose at the entrance of the place of meeting.

St. ~~29~~x 28 ~~30~~. If there is no quorum at the commencement of a meeting, the Chairman shall, at the expiration of a quarter of an hour, take notice whether there are twenty members present; and if there are not, the meeting shall forthwith be adjourned to such a date as the Chairman may appoint, Such adjournment shall be recorded by the Registrar under the signature of the Chairmam. In the case of a meeting adjourned for want of a quorum, no quorum will be required.

St.x~~30x~~ ~~31~~. 29 At every meeting the business to be entertained shall ~~not~~ unless the meeting by a special vote otherwise determine, be taken the following order:-

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(1) The election, if it is part of the business to be entertained at the meeting, of the Chairman,

(2) The signing of the minutes of the previous meeting or adjourned meeting.

(3) The election, if it is part of the business to be entertained at the meeting, of any official of the University.

(4) The consideration of the Annual Financial Statement and resolutions thereon when they are part of the business to be entertained at the meeting.

(5) The consideration of Ordinances and Regulations, motions for making, amending and repealing Statutes and proposals ~~for making~~ recommending amendments in the Act.

(6) Any motion for a change in the order of business, provided that such motions shall not affect the order hereinabove indicated, or give priority to any item of business over the items mentioned in (1) to (5) above or any of them.

(7) Any business and motions of which due notice has been given in the order in which such business and motions are entertained in the statement of business and -- motions to be brought forward subject to the provisions of this Statute and Statute ( ~~26~~ 34 ).

## RULES OF DEBATE.

St. ~~31~~ 30 ~~32~~. Every motion shall be moved by the member in whose name it stands, or, if he is absent or declines to ~~move~~ it, it may be moved by any other member.

St. ~~32~~ 31 ~~33~~. Every motion at a meeting must be seconded; otherwise it shall drop. The seconder of a motion may reserve his speech.

St. ~~33~~ 32 ~~34~~. When a motion has been seconded, it shall be stated from the Chair.

St. ~~34~~ 33 ~~35~~. When the proposal has been thus stated, it may be discussed as a question to be resolved simply in the affirmative or negative or as proposed to be varied by way of amendment. When, -- before or after debate, no member ~~who~~ rises to speak to the motion, the Chairman shall proceed to put the question to ~~be~~ the vote in the manner hereinafter mentioned.

St. ~~35~~ 34 ~~36~~. A substantive proposal once brought forward shall not be proposed a second time at the same meeting, or at any adjournment thereof. A proposal substantially identical in part with one already disposed of may be brought forward at the same meeting or at any

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any adjournment thereof without the omission of such part.

~~It. 36~~ 35. Not more than one proposal and one amendment thereto shall be placed before the meeting at the same time. Each amendment shall be disposed of before the next is moved. All amendments, which are not withdrawn shall be considered and voted upon. In case no notice of amendment has been given, the Senate shall at once proceed to consider and to vote upon the proposal .

~~It. 37~~ 36. In any debate a member may move (but shall not make any speech on the motion) that the question be now put' and, unless it shall appear to the Chairman that such motion is an infringement of the rights of reasonable debate, the motion 'that the question be now put' shall be put to the vote forthwith, and decided without -- amendment or debate.

~~It. 38~~ 37. When the motion 'that the question be now put' has been carried, the Chairman shall call upon the mover of the proposal or amendment under consideration to reply.

~~It. 39~~ 38. No member of the Senate save with the permission of the Senate as hereinprovided, shall speak for more than 20 minutes, when proposing a motion, or for more than 10 minutes, when proposing an amendment, seconding or speaking to a motion or ~~amendment~~ amendment, or when replying, provided always that the said time limit shall only be -- operative when the Chairman, either 'suo motu' or at the instance of a member of the Senate, draws the attention of the Senate to the fact that the time limit has been exceeded. On the attention of the Senate being thus drawn, the Chairman shall take the vote of the Senate whether the speaker shall be given a further period of 10 minutes or not. If the vote of the Senate is in the negative, the speaker shall bring his remarks to a close with such few -- sentences as the Chairman may at his discretion allow, but shall not otherwise continue to address the Senate. If the vote is in favour of the speaker continuing he may address the Senate for a further period of 10 minutes when the same procedure may be repeated, whether or not the Chairman's attention is drawn to the time limit.

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AMENDMENTS.

St. 40xx 39 41. No amendment shall be proposed which would reduce the proposal to a negative form.

St. 41xx 40 42. No amendment shall be proposed which raises a question already disposed of by the meeting, or is inconsistent with any resolution already passed by it.

St. 42xx 41 43. The orde in which amendments to a proposal are to be brought forward shall be determined by the Chairman with reference to their extent and mutual relation.

St. 43xx 42 44. An amendment, the substance of which has been disposed of in part, may be modified by its proposer so as to retain only the parts not so disposed of.

St. 44xx 43 45. When an amendment has been moved and seconded, it shall be stated from the Chair, and then the debate may proceed on the original proposal and the amendment together; but so far as the question raised by the amdnement is one on which a member has not yet spoken, he may speak to that question, though he has spoken on the original question, or a previous amendment.

St. 45xx 44 46.

(a) Every amendment shall be in such form that it modifies the original motion by any or all of the following methods:-

(1) By addition of words.
(2) By deletion of words.
(3) By substitution of words,

and the mover of the amendment may state the motion or the part thereof affected as it would stand when so amended.

(b) An amendment shall must be relevant to and within the scope of the motion to which it is proposed.

(c) An amendment in the alternative should not be moved.

St. 46xx 45 47. Wh If any amendment be carried, it shall become part of the motion before the Senate and the motion shall be modified -- accordingly.

St. 47xx 46 48. When all the amendments have been considered of which due notice has been given, the original motion, or the original motion amended in course of debate shall be placed before the Senate and put to the vote without further discussion.

## WITHDRAWAL OF A QUESTION.

St.~~48~~ 47. No question shall be withdrawn from the ~~decision~~ decision of the Senate without its unanimous consent. If the mover states his wish to withdraw a proposal or amendment and if no objection is -- stated thereto in the interval allowed by the Chairman for the purpos the Chairman shall declare that the question is withdrawn with the - consent of the Senate.

## RESOLUTION OF THE SENATE INTO A COMMITTEE.

St. ~~49~~ 48.

(a) The Senate may, when it thinks fit, resolve itself into a Committee to consider any item which may be on the Agenda -- of business.

(b) A motion for the resolution of a meeting into a Committe may be made by any member at any time (but not so as to interrupt a speech) without the notice required under Statute ~~25~~ 25 but can only -- be placed before the Senate for consideration, if the Chairman gives permission for this to be done.

(c) No speech shall be allowed in moving the motion.

(d) No such motion shall be considered unless at least fifteen members rise in support thereof.

(e) The motion, then having been duly seconded, shall be put to the meeting without further discussion and shall only be -- carried if two-thirds of the members present vote in its favour.

St.~~50~~ 49.

(a) When the Senate decides in this manner to resolve itself into a Committee, the Chairman shall be the same as for the meeting of the Senate and the quorum shall be the same for the meeting of the Senate.

(b) The manner in which the discussion of the matter under consideration shall be conducted shall be in the discretion of the Chairman. When in the judgment of the Chairman, the matter has been sufficiently discussed, the Committee shall embody its conclusions in a report to be signed by the Chairman.

(c) The period during which the Senate is sitting in Committe shall be considered as a suspension of the sitting of the Senate, and

and immediately it terminates, the Senate shall be again called to order by the Chairman, and the report of the Committee's deliberations presented to it by the Registrar.

(d) If any of the resolutions of the Committee involve recommendations not covered by the motion and the amendment to that motion on the Agenda of the meeting, they shall not be considered by the Senate until notice of these has been given as required under Statute 26.

(e) A motion made as a result of the deliberations of such a committee may be presented to the Senate without previous consideration by the Syndicate.

## ADJOURNMENT ETC.

St. 52. A proposal "that this meeting be now dissolved" may be moved at any time as a distinct question, but not as an amendment nor so as to interrupt a speech. If the motion is carried, the business before the meeting shall drop.

St. 53. A proposal "that the meeting be now adjourned to some specified time" may be moved at any time as a distinct question, but not as an amendment nor, except on the motion of the Chairman so as to interrupt a speech. If it be negatived, the debate shall be resumed. The same rule will apply to a meeting of the Senate in Committee.

St. 54. No amendment shall be moved to a proposal under the last preceding Statute, except one for substituting a different time for that to which it is proposed to adjourn the meeting.

St. 55 A meeting renewed or continued after an adjournment is to be deemed one with that preceding the adjournment; provided that if the meeting be adjourned to such date as to admit of the notice required by Statute 26, any amendment, otherwise in order, may be moved at an adjourned meeting if the notice so required be duly given.

St. 56 The motion "that the meeting pass to the next business on the statement" may be made at any time as a distinct question, but not as an amendment, nor so as to interrupt a speech. If such a motion be carried, the proposal under consideration and the amendment thereto shall not be further dealt with at the meeting.

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St. ~~56x~~ 55 ~~57~~. No motion for the dissolution, or for the adjournment of the meeting, or for the suspension of the sitting, or to pass to the next business, shall be made or spoken to during a debate by any member who has spoken in the debate. Any such motion shall take the place of any question that may be before the meeting and, if not withdrawn, must be disposed of before such question.

St. ~~57x~~ 56 ~~58~~. When a motion of the class contemplated in the last preceding Statute has been brought forward and negatived, no other motion of that class shall be again brought forward until after the lapse of what the Chairman shall deem a reasonable time; nor shall a debate be allowed on such a second or subsequent motion brought forward during a debate on the same proposal discussed alone, or the same proposal and amendment discussed together.

## RIGHT OF SPEECH AND REPLY.

St. ~~58xx~~ 57 ~~59~~. On each proposal, or proposal and amendment in debate, a member may speak once, ~~x~~ subject to the provisions of Statutes ~~43 45 xxxx~~ ~~44x~~ and ~~56~~ ~~57~~ ~~55~~

St. ~~59x~~ 58 ~~60~~. After the mover of a motion or amendment has spoken, the other members may, save as otherwise provided, speak to the motion or amendment in such order as the Chairman may call upon them.

St. ~~60x~~ 59 ~~61~~ Save in the exercise of a right of reply or as otherwise provided, no member shall speak more than once except with the permission of the Chairman for the purpose of making a personal explanation; but, in such cases no debatable matter shall be brought forward.

St. ~~61x~~ 60 ~~62~~. The mover of a motion may speak a second time on the conclusion of a debate by way of reply.

St. ~~62xx~~ 61 ~~63~~. The mover of an amendment, or when there is no amendment, the mover of the original resolution, may reply upon the debate before each vote is taken. But the mover of a motion for a dissolution or adjournment, or for the suspension of the sitting or for passing to the next business on the statement has no right to reply.

St. ~~63x~~ 62 ~~64~~. No member shall speak to the question after the mover has entered on his reply.

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St. 64. 68. The Chairman has the same right of moving or seconding a motion or amendment and of otherwise taking part in the debate as any other member. When the Chairman thus takes part in the debate, he shall vacate the Chair whilst he is addressing the meeting, and the Chair shall during such time be taken by the Senior member present, not being the Chairman.

## POINTS OF ORDER.

64

St. 65. 66. Any member may call the Chairman's attention to a point of order even whilst another member is addressing the meeting, but - beyond stating the precise point of order raised, he shall not make a speech. Such a call pronounced by the Chairman to be vexatious, and any interruption or obstruction to the progress of the business before the Senate pronounced by the Chairman to be unseemly or unreasonable, shall be deemed a breach of order.

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St. 66. 67. The Chairman shall be the sole judge on any point of order and may call any member to order; and, if the member so called to order shall, in speaking, disregard such call, the Chairman may direct him to sit down and thereupon another member may speak.

66

St. 67. 68. In the event of any contumacious disregard of a ruling or call to order by the Chairman, he may request the member so offending to leave the meeting, and on such request the member named by the Chairman shall be suspended from his functions as a member during the meeting, and shall be bound immediately to withdraw.

## VOTING.

with amendment by Legislature

67

St. 68. 69. On putting any question to the vote, the Chairman shall call for an indication of the opinion of the Senate by a show of -- hands in the affirmative or negative, or by sitting and raising, and shall declare the result thereof according to his opinion. If the votes are actually counted, the number of votes on either side shall be recorded in the minutes.

68

St. 69. 70. Any member may then demand a Division except on a motion for adjournment, or a vote of the Senate taken under -- Statute 39. 40 38 Voting in all Divisions shall be by ballot.

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St. ~~70~~ 69 ~~71~~. The Chairman shall thereupon appoint four Tellers, two on each side; and shall give such directions for effecting the Divisions as he shall consider expedient.

St.x~~71~~x ~~72~~ 70. In every division only such members as were present at the putting of the question shall be entitled to vote. Voting shall be on papers supplied at the meeting by the Registrar and every voting paper shall be returned with or without the vote.

St. ~~72~~x ~~73~~ 71. Upon the Chairman announcing the Division to be clos the Tellers shall state in writing the number on each side, sign t statement, and hand it to the Chairman, together with the voting - papers (in two separate bundles), whereupon the Chairman shall dec the result of the Division of the meeting, and the result shall be recorded in the minutes.

St.x~~73~~x ~~74~~ 72. If, after a Division has been taken, five members pr shall demand a recount, the Chairman shall appoint two or more mem to act with the Tellers who shall report the facts found by them t the Chairman, who shall thereupon declare the result to the meetin and such declaration shall be conclusive.

St.x~~74~~x ~~75~~ 73. Pending the recount, the Chairman may, in his discre either suspend the sitting or call for such business as may, in hi opinion, be most conveniently proceeded with. Business thus enter on shall be proceeded with; but on its disposal the regular order subjects, if it has been departed from shall be resumed.

## LAPSING OF BUSINESS.

St.x~~75~~. ~~76~~ 74. All motions, together with their amendments, if any, on the agenda of a Senate Meeting which have not been moved or -- voted upon for want of time or any other reason at the meeting to which the agenda relates, shall, at the close of the meeting, be deemed to lapse; such motions shall not be placed on the agenda next or subsequent meetings, save on receipt of a fresh notice fro the mover of the same or from any other member of the Senate stati that he intends to move the proposal at such meeting; provided, -- however, that a motion shall not lapse if a part thereof or an -- amendment thereto has been voted upon.

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MINUTES:

St. ~~XXX~~ 75 ~~77~~ After every meeting or adjourned meeting of the Senate, the Registrar shall as early as possible within six ~~days~~ weeks, send a copy of the draft minutes of such meeting to the address of each member of the Senate. In the event of any exception being taken to the correctness of the minutes as circulated, the attention of the Chairman shall be called to the matter before he signs the minutes, and he shall make such alterations as he may find to be necessary.

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St. ~~77~~ 78. Teachers and Principals of Colleges in the Karnatak University area, at present affiliated to the University of Bombay, shall, for all purposes connected with the arrangements for the constitution of the Senate, the Syndicate, the Academic Council and other authorities of the University, be deemed to be teachers and Principals of Colleges affiliated to the Karnatak University.

St. ~~78~~ 79 77

Constitution of the Syndicate.

The following Faculties shall be represented on the Syndicate under the provisions of Section 18(1) (iv) by members respectively belonging to them in the manner shown below:

| Faculties. | | |
|---|---|---|
| Faculties of Arts ~~and Law~~. | ..... | 2 |
| Faculty of Science. | ..... | 1 |
| ~~Faculty of Law.~~ | ..... | 1 |
| Faculty of Engineering & Agriculture. | ..... | 1 |
| Faculty of Social Sciences. | ..... | 1 |

St. ~~79~~ 80.

Faculties: Constitution. (Vide Section 22).

In addition to the Faculties specified in sub-Section (1) of Section 22, there shall be the Faculty of Social Studies.

78 St. ~~80~~ 81. The subjects comprised in each of these Faculties shall be as follows :-

1 Faculty of Arts:

| | |
|---|---|
| Modern Indian Languages: | Kannada; Marathi; Hindi; Urdu. |
| Modern European Languages: | English; German; French; Portuguese; |
| Ancient Indian Languages: | Sanskrit; Pali & Ardhamagadhi. |
| Ancient Asiatic Languages: | Persian; Arabic. |

2 Faculty of Science: ..... Statistics. Mathematics; Physics; Chemistry; Botany; Zoology; Geology; Geography.

3 Faculty of Law: ..... Personal Law; Jurisprudence; Law of Property, Contracts & Torts, Criminal Law.

4 Faculty of Engineering: ..... Civil Engineering; Mechanical Engineering; Electrical Engineering; Tele-communications.

5 Faculty of Agriculture: ..... Agriculture; Veterinary Science.

Faculty of Social ~~Sciences~~ Sciences: ..... History; Economics; Politics; Sociology; Psychology; Ethics; Logic; Philosophy; Education; Commerce; ~~Geography~~; Archaeology; Epigraphy; & Numismatics & ~~Anthropology~~.

St. 82.

Boards of Studies: Constitution [Vide Section 24 (1) & (2) (ii)]

The following shall be the Boards of Studies under the provisions of Section 24 and the number of elected members to each shall be as shown against them below:-

Faculty of Arts:

| | BOARDS OF STUDIES IN | Elected Members. |
|---|---|---|
| (1) | Kannada. .... | 5 |
| (2) | Hindustani and Urdu.... | 3 |
| (3) | Marathi. .... | 3 |
| (4) | English. .... | 3 |
| (5) | French, German & Portuguese. | 3 |
| (6) | Sanskrit, Pali & Ardhamagadhi. | 5 |
| (7) | Persian and Arabic. | 3 |

Faculty of Science: BOARDS OF STUDIES IN

| | | |
|---|---|---|
| (8) | Mathematics & Statistics. | 5 |
| (9) | Physics. .... | 5 |
| (10) | Botany (including Agricultural Botany).... | 5 |
| (11) | Chemistry (including Engineering & Agricultural Chemistry) .... | 5 |
| (12) | Zoology. .... | 3 |
| (13) | Geology.(including Geology in Engineering courses). | 3 |
| (14) | Geography (including Geography in Commerce courses) | 5 |

Faculty of Law:

| | | |
|---|---|---|
| (15) | Board of Studies in Law. | 5 |

Faculty of Engineering:

| | | |
|---|---|---|
| (16) | Board of Studies in Engineering | 5 |

Faculty of Agriculture:

| | | |
|---|---|---|
| (17) | Board of Studies in Agriculture (including Veterinary Science). | 5 |

Faculty of Social Sciences:

| | | |
|---|---|---|
| (18) | History, Archaeology, Epigraphy and Numismatics. | 5 |
| (19) | Economics (including Banking, Transport and Public Finance for Commerce Courses and Agricultural Economics for courses in Agriculture) and Sociology and Politics (including Civics and Public Administration for Arts and Commerce Courses). | 5 |
| (20) | Psychology, Ethics, Logic and Philosophy | 5 |
| (21) | Education. | 3 |
| (22) | Commerce, Marketing, Finance & Accountancy and Acturial Science. | 3 |

St. 83: In the case of the election of members to the Boards of Studies the Registrar shall, at least 35 clear days before the date of election, prepare separate rolls of teachers according to the various groups of subjects forming Boards of Studies as prescribed above (Statute 82) and not less than 21 clear days before the date of election shall send to all those whose names are entered in the respective rolls, a notice of election to be held by post in accordance with the procedure prescribed in the Election Rules.

St. 84: The number of to be co-opted by each Board under Clause (iii) of sub-Section (2) of Section 24 shallnot exceed two.

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St. ~~88.~~ 85. After the election of a member to the Academic Council if he is not already a member of a Board of Studies the Academic Council shall on a motion in that behalf by the Committee of -- Deans assign him to one of the said Faculties and in the case of persons with special qualifications to two or more of the said - Faculties. (If the Committee of Deans is not in existence, the assignment to Faculties shall take place on a motion in that behalf by the Vice-Chancellor).

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# ELECTION RULES.

/ide Section 65(2) (a)(ii) of the Karnatak University Act 1949_7

Re. 1. Except as otherwise expressly provided for, all elections to the Authorities of the University will be held in accordance with these rules.

DEFINITIONS:

Re. 2. In this Chapter unless there is anything repugnant in the subject or context

(1) The expression "elector" with reference to the election of any authority means any person or public association or body entitled to vote at such an election.

(2) The expression "continuing candidate" means any candidate not elected or not excluded from the poll at any given time.

(3) The expression "first preference" means the figure "1" standing alone opposite the name of a candidate; "second preference" means the figure "2" standing alone opposite the name of a candidate in succession to the figure "1"; "third preference" means the figure "3" standing alone opposite the name of a candidate in succession to the figures "1" and "2" and so on.

(4) The expression "next available preference" means a second or subsequent preference recorded in consecutive numerical order for a continuing candidate, the preferences, the next in order on a voting paper for candidates already elected or excluded from the poll being ignored.

(5) The expression "transferable paper" means a voting paper on which ~~the~~ following the first preference, a second or subsequent preference is recorded in consecutive numerical order for a continuing candidate.

(6) The expression "non-transferable paper" means a voting paper on which no second or subsequent preference is recorded for a continuing candidate; provided that a paper shall be deemed to have become a non-transferable paper whenever:-

(a) The names of two or more candidates (whether continuing or not) are marked with the same number, and are next in order of preference;

(b) The name of the candidate next in order of preference (whether continuing or not) is marked.

i) by a number not following consecutively after some other number on the voting paper;

or

ii) by two or more numbers.

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(c) for any other reasons it cannot be determined for which of the continuing candidates the next available preference of the elector is recorded.

(7) The expression "original vote" in regard to any candidate means a vote derived from a ballor paper on which a first preference is recorded for that candidate.

(8) The expression "transferable vote" in regard to any candidate means a vote derived from a voting paper on which a second ~~prefer~~ or subsequent preference is recorded for that candidate.

(9) The expression "quota" means the number of votes sufficient to secure the election of a candidate, determined at each election by dividing the total number of valid votes cast at an election by a number exceeding by one the number of vacancies to be filled at that election and adding one to the result so arrived at (any fractional remainder being disregarded).

(10) The expression "surplus" means the number of votes by which the total number of the votes, original and transferred, credited to any candidate exceeds the quota.

(11) The expression "count" means -

(a) All the operations involved in the counting of the ~~vot~~ first preferences recorded for candidates;

or

(b) all the operations involved in the transfer of the surplus of an elected candidate;

or

(c) all the operations involved in the transfer of the votes of an excluded candidate or of two or more candidates excluded together.

Rule 3. A voting paper shall be, as far as possible, in the following form.

VOTING PAPER.

Karnatak University.

Election by_____.

| Mark order of preference in spaces below. | Names of Candidates. |
|---|---|
| | |
| | |
| | |
| | |
| | |

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Re. 4. (1) Each elector shall have one transferable vote.

(2) An elector in recording his vote:

(a) must place on his voting paper the figure 1 opposite the name of the candidate for whom he votes, and

(b) may in addition indicate the order of his choice or preference for as many other candidates as he pleases by placing against their respective names the figures 2,3,4 and so on, in consecutive numerical order.

Re. 5. A voting paper is invalid if -

(a) The figure 1 standing alone, indicating a first preference is not placed

or

(b) the figure 1 standing alone, indicating a first preference is placed opposite the name of more than one candidate;

or

(c) the figure 1 standing alone, indicating a first preference and some other figures are placed -- opposite the name of the same candidate;

or

(d) it cannot be determined for which candidate the first preference of the voter is recorded.

or

(e) in an election by ballor any mark is placed by the voter by which he may afterwards be identified.

or

(f) there is any erasure or alteration in the figures indicating the voter's preference.

Re. 6. Subject to section 60 of the Act, the Vice-Chancellor shall have the power :

(a) to fix the date of election.

(b) to decide in cases of doubt the validity of invalidity of a vote recorded and to declare the result of each election.

Re. 7. The Vice-Chancellor shall have the power to hold elections in anticipation of vacancies about to occur by efflux of time.

Re. 8. Except as otherwise provided for, the Registrar shall br responsible for the conduct of all elections.

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ELECTORAL ROLLS.

Re. 9. The Registrar shall prepare electoral rolls for all persons or public bodies entitled to elect members to the authorities of the University showing the names and addresses of all persons, or bodies qualified to vote.

Re. 10. Except when an election is held at a meeting, the persons, public associations or bodies, as the case may be, entitled to vote at an election to any of the authorities shall be respectively -- the persons or public associations or bodies whose names are entered on their respective rolls.

Re. 11. The rolls of persons, public associations or bodies entitled to vote at an election to the Senate shall be prepared and kept open for inspection at the University Office ~~and shall~~ except when otherwise specified at least (35) clear days before the date of election.

Re. 12. The Vice-Chancellor shall have the authority to correct the rolls if any omission or wrong entries be brought to his notice at least (25) clear days before the date of the election. The -- Vice-Chancellor's decision in the matter shall be final.

Re. 13. Printed copies of the Rolls shall be delivered on application to any person on payment of such fees as may be prescribed by the Vice-Chancellor.

NOTICE OF ELECTION.

Re. 14. Whenever there is a vacancy in any authority, the notice of election relating thereto shall be given to all electors, except when otherwise provided, at least (21) 18 clear days before the date of election, and in the said notice the date fixed as the last day for receiving nominations and the date fixed for the scrutiny of nominations and the date of election shall be precisely stated and the relevant details regarding the vacancy given.

Re. 15. Subject to the provisions of section 15 of the Act, in all cases where nominations are invited by the Registrar, any two electors, or any two members of a public association or body entitled to vote, may, after the election notice is issued, nominate as a candidate any person by sending to, or delivering at the University Office a nomination paper before 4 p.m. on the last day fixed for receiving nominations. In the case of an election to the Senate held under clauses (f) and (g) of section 15(1) Class II (A) (iv)

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nomination papers shall bear an attestation of the President or Chairman of the body concerned stating that the proposer and the seconder were on the date of issue of the notice of election, members of the said -- association or body.

Re. 16. The last date for the receipt of nominations in the case where an election is to be held at a meeting of any public association, authority or body other than the Senate, of the University, shall be at least -- seven days before the day of the meeting.

Re. 17. Nomination papers shall be in the prescribed form and shall be dated and signed by two electors or by two members of the public -- associations or bodies entitled to vote, and shall contain the names in full, address and designations, if any, of the signatories of and of the candidate nominated. No person shall be nominated as a candidate for election unless he signifies his consent on the nomination paper. A nomination paper which does not comply with all the requirements of the Rules shall be rejected.

Re. 18. At any time before the date and hour fixed as the last day and hour for the receipt of nominations, it shall be open to a candidate to withdraw from an election, provided that he forwards to the Registrar so as to reach him before the day and hour fixed as aforesaid, an intimation of withdrawal in writing signed by the candidate and -- attested in the manner prescribed in Rule 23.

Re. 19.

(a) As soon as possible after the last day fixed for the receipt of nominations, at a time and place fixed by the Vice-Chancellor and notified in the notice of election, the Vice-Chancellor, or any person or persons, nominated by him for this purpose, shall scrutinize the nominations. The candidate or his agent duly authorised by him in writing in this behalf shall be entitled to be present at such scrutiny.

(b) In the case of a dispute or doubt, the Vice-Chancellor shall determine whether a person is disqualified under the -- Statutes or not.

Re. 20. If the number of candidates nominated does not exceed the number of vacancies to be filled, the candidates so nominated shall be declared to have been elected.

Re 21. (a) Elections to the Senate under Section 15(1) Class II (A) (i) (ii), (f), (g) and (i) of (iv) and (E) and (F) shall be held by post.

(b) Elections to the Senate under section 15(1) Class II (A) (III) shall be held by ballot at polling centres.

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(c) Elections to the Senate under section 15(1) Class II (A) (iv) (a), (b), (c), (d), (e), and (h) may be held either by post or by ballot at a meeting of the association concerned; provided once the option is exercised, the procedure to be followed shall be strictly in accordance therewith.

(d) Elections to the Boards of Studies under section 24(2) (ii) shall be held by post.

(e) Elections of the Deans, and elections by any of the authorities of the University to any other of its authorities shall be held at a meeting of such authority in accordance with the procedure laid down in Rules.

PROCEDURE FOR ELECTION BY POST.

Rule 22. Where the election is held by 'post', the Registrar shall send, soon after the nominations have been scrutinised to each elector, at his registered addres (a) voting paper bearing the name of the constituency, (b) a smaller cover bearing the name of this Constituency and (c) a bigger cover on which are printed on left half the number of the elector and the name of the Constituency and a form of the certificate of identity and on the right half, the words "To the Registrar, Karnatak University, Dharwar". The voter shall enclose the voting paper duly filled in, but without the name or the signature of the voter, in the smaller cover and enclose this again in the bigger cover, sign the certificate of identity on it, get his signature attested, if any attestation be required, and send it to the Registrar so as to reach the University office before the time announced for the election.

Rule 23. The certificate of identity required by Rule 22 shall be signed by the elector or the Chairman or President of the public association or the body entitled to vote, in the presence of and shall be attested by a Magistrate, a Justice of the Peace, a Gazetted Officer of Government, a member of the Senate of the Karnatak University, Dharwar, for the time being, the head master of a High School, or a teacher as defined by the relevant Statute.

Rule 24. An elector who has not received his voting paper and other connected papers sent by post or whose papers before they are returned to the Registrar, have been lost or spoilt in such manner that they cannot be conveniently used, on his transmitting to the Registrar a declaration to that effect signed by himself, may require the Registrar to send him new papers in place of those not received, spoilt or lost; and if the papers have been spoilt, the spoilt papers shall be--

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4) The election officer shall keep order at the polling station. No person other than a voter shall be permitted to enter the polling station.

5) No voter shall be allowed to enter the polling station for recording his vote before the commencement or after the expiry of the period fixed for the purpose.

6) Each polling station shall have such number of compartments as the election officer thinks necessary to enable each voter to record his vote, screened from observation.

7) Immediately before the polling commences, the election Officer shall show to the candidate or his authorised agents present at the station that the ballox box is empty and shall then ~~lock~~ lock/ and seal it for use.

8) Immediately before the ballot paper is issued to a voter the number of the voter shall be entered on the counterfoil and the same shall be signed by the voter and mark shall be placed by the issuing officer in his copy of the electoral roll against the number of the voter to whom the voting paper is issued.

9) The voter on receiving the ballot paper shall forthwith proceed to one of the compartments where he shall mark and put his paper into the ballot box.

10) Every voter shall vote without undue delay, and shall quit the polling station as soon as he has put his ballot paper into the ballot box.

11) If a voter spoils his ballot paper inadvertently, he may be given another and the spoilt paper and its counterfoil shall be cancelled by the election officer.

Re. 30 . On receipt of the notification referred to in Statute 29 the public associations or bodies named in clauses (a), (b), (c), (d), (e) and (h) of paragraph (A) under Class II of Section 15(1), shall make the necessary arrangements to hold the election so that the -- result of the election is known in due time. Such elections shall be held according to the system of proportional representation by means of a single transferable vote, in the manner specified in section 56 of the Act; provided, however, that it shall be at the option of such authority concerned, to hold the election at a meeting or by post; but once the option is exercised, the procedure to be followed shall be strictly in accordance therewith. On the result of such elections being known, the said association or body concerned shall make a -- return to the University intimating the names, degrees and addresses of the persons so elected by them signed by the President or Chairman of the association or body concerned, and in the case of the Bombay Legislative Assembly and the Bombay Legislative Council, by the -- Secretary to the Bombay Legislative Department.

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Re. 31. In the case of public bodies or associations specified in clauses (f) and (g) of paragraph (A) (iv) of Section 15(1) Class II after each nomination has been scrutinised, a voting paper together with a smaller cover and a bigger cover bearing a certificate of identity shall be sent by the Registrar by post to each of the said public associations or bodies for the recording of their votes. In all cases, each of the said public associations or bodies in its corporate capacity shall have one transferable vote and the preferences, if any, shall be recorded and the certificate of identity completed in the manner prescribed by Rule 23.

SCRUTINY AND COUNTING OF VOTING PAPERS.

Re. 32. All voting papers shall be scrutinised by the Registrar and such other person or persons as may be nominated by the Vice-Chancellor. When there are more polling stations than one, voting papers of all the polling stations shall be first mixed up and then scrutinised by the Registrar and such other person or persons as may be nominated by the Vice-Chancellor.

Re. 33. After the voting papers for an electoral body have been scrutinised and counted, the Registrar shall examine the voting papers, and shall sort them into parcels according to the first preference, recorded for each candidate, rejecting the voting papers that are invalid.

Re. 34. ~~After~~ The Re istrar shall then count the number of papers in each parcel and shall credit each candidate with a number of votes equal to the number of valid papers on which a first preference has been recorded for such candidate and shall ascertain the total number of valid papers, and also determine the quota.

Re. 35. If at the end of any count the number of votes credited to a candidate is equal to or greater than the quota, that candidate shall thereupon be elected.

Re. 36.

(1) If at the end of any count the number of votes credited to a candidate is greater than the quota, the surplus shall be transferred, as in this Rule provided, to the continuing candidates for whom the next available preferences have been recorded on the voting papers in the parcel or sub-parcel last received by the

(b) If two or more candidates have each an equal surplus, the surplus of the candidate with the greatest numbers of votes at the first count at which the candidates in question-----

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in question have an unequal number of votes shall be first dealt with. When the numbers of votes credited to such candidates are equal at all counts, the Registrar shall determine by lot which surplus he will first deal with.

(3) The Registrar need not transfer a surplus when that surplus together with any other surplus not transferred, is less than the difference -

(a) between the votes of the candidat lowest on the poll and the votes of the next highest candidate;

or

(b) between the total of the votes of the two or more candidates lowest on the poll and the votes of the next highest candidate, provided that the exclusion from the poll of the aforesaid two or more candidates lowest on the poll shall not reduce the number of continuing candidates below the number of vacancies remaining to be filled.

(4) (a) If the votes credited to an elected candidate consist of original votes only, the Registrar shall examine all the papers contained in the parcel of the elected candidates whose surplus is to be transferred.

(b) If the votes credited to an elected candidate consist of original and transferred votes, or of transferred votes only, the Registrar shall examine the papers contained in the sub-parcel last received by the elected candidates whose surplus is to be transferred.

(c) In either case the Registrar shall sort the transferable papers into sub-parcels according to the next available preferences recorded thereon, shall make a separate sub-parcel of the non-transferable papers and shall ascertain the number of papers in each sub-parcel of non-transferable papers.

(5) If the total number of papers in the sub-parcels of transferable papers is equal to or less than the surplus the Registrar shall transfer the whole of each sub-parcel of transferable papers to the continuing candidate indicated thereon as the electors' next available preference; and shall set aside as a separate parcel so many of the non-transferable papers as are not required for the quota of the elected candidate. The particular papers set aside shall be those last filed in the parcel of non-transferable papers.

(6) (a) If the total number of transferable papers is greater than the surplus, the Registrar shall transfer from each sub-parcel of transferable papers to the continuing candidate indicated thereon as the electors' next available preference the number of papers which bears the same proportion to the number of papers in the sub-parcels as the surplus bears to the total number of transferable papers.

(b) The number of papers to be transferred from each sub-parcel shall be ascertained by multiplying the number of papers in the sub-parcel by the surplus and dividing the result by the total number of transferable papers. A note shall be made of the fractional part, if any, of each number so ascertained.

(c) If owing to the existence of such fractional parts, the number of papers to be transferred is less than the surplus, so many of these fractional parts taken in the order of their magnitude, beginning with the largest, are necessary to

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to make the total number of papers to be transferred equal to the surplus shall be reckoned as of the value of unity, and the remaining fractional parts shall be ignored.

(d) If two or more fractional parts are of equal magintude, that fractional part shall be deemed to be the largest which arises from the largest sub-parcel, and if the sub-parcels in question are equal in size, the fractional part credited to the candidate with the greatest number of votes at the first count at which the candidates in question have an unequal number of votes shall be deemed to be the largest. When the numbers of votes credited to such -- candidates are equal at all counts, the Registrar shall determine by lot which fractional part shall be deemed to be the largest.

(e) The particular papers transferred from each sub-parcel shall be those last filed in the sub-parcel and each paper so transferred shall be marked in such a manner as to indicate the count at which the transfer took place.

Re. 37.

(1) If, at the end of any count, no candidate has a surplus, or if any existing surplus need not be and is not transferred and one or more vacancies remain to be filled

(a) the Registrar shall exclude from the poll the candidate lowest on the poll.

(b) if the total of the votes of the two or more candidates lowest on the poll together with any surplus not transferred is less than the number of votes credited to the next highest candidate, the Registrar may at the same count exclude the aforesaid two or more candidates lowest on the poll, provided that the exclusion of these candidates shall not reduce the number of continuing candidates, below the number of vacancies remaining to be filled.

(2) If, when a candidate has to be excluded two or more candidates have each the same number of votes and are lowest on the poll, the candidate with the lowest number of votes -- at the first count at which the candidates in question have an ~~equal~~ unequal number of votes shall be excluded, and, when the numbers of votes credited to these candidates are equal at all counts, the Registrar shall determine by lot who shall be excluded.

(3) Upon the exclusion of any candidate, the Registrar, save as hereinafter provided, shall ~~xxx~~ examine all the papers credited to that candidate, shall sort the transferable papers into sub-parcels according to the next available -- preferences recording thereon for continuing candidates; shall transfer each sub-parcel to the candidate for whom that preference is recorded, and shall set aside as a -- separate sub-parcel the non-transferable papers.

Re. 38.

(1) If, at the end of any count, the number of elected candidates is equal to the number of vacancies to be filled, no further transfer of votes shall be made.

(2) If, on the exclusion of a candidate the number of the then ~~re~~ continuing candidates is equal to the number of vacancies unfilled the continuing candidates shall thereon be elected and no further transfer of votes shall be made.

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Re. 39. The order of priority of election of elected members shall be the order in which they are severally elected. If, at th end of any count two or more candidates are elected, the order of priority shall be according to the number of votes credited to suc candidates beginning with the greatest.

Re. 40.

(1) Whenever any transfer is made, each sub-parcel of papers transferred shall be placed on the top of the parcel, if any, of papers of the candidate, to whom the transfer is made and that candidate shall be credited with a number of votes equal to the -- number of papers transferred to him.

(2) Non-transferable papers (except such as in the -- transfer of a surplus may be required for the quota of the elected candidate) shall be set aside as a separate parcel together with any parcel of non-transferable papers already set aside.

(3) On the transfer of the surplus of an elected -- candidate, all papers not transferred to continuing candidates and not set aside as provided in the -- preceding paragraph, shall be placed together in one parcel as the quota of the elected candidate and the parcel shall be marked with the name of the elected candidate.

Re. 41. After the scrutiny is completed, the Registrar shall forthwith report to the Vice-Chancellor the result of the scrutiny.

Re. 42. On the result of the election being reported as aforesaid, the results of the scrutiny showing for each candidate the number of first votes obtained and the successive additions to or subtractions from the number till the candidate was excluded or elected shall be published by the Registrar and the voting papers shall be destroyed.

Re. 43. The names of the members and the Senate, the Syndicate and the Academic Council shall be published in the Bombay Government Gazette.

Re. 44.

(a) If any candidate is elected to the Senate by more than one constituency he shall, by notice in writing signed by him and delivered to the Registrar of the University within seven days of the publication of the Gazette of the result of the last of such elections choose which of these constituencies he shall represent and such -- choice shall be conclusive.

(b) If the candidate does not make the choice referred to herein within the specified period of time, the Vice-Chancellor shall decide which constituency he will -- represent and his decision shall be final.

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(c) When any such choice has been made by the candidate or a decision given by the Vice-Chancellor, the Vice-Chancellor shall direct the Registrar to take steps for holding an -- election in the constituency in which a vacancy has occurred by reason of such choice.

(d) Notwithstanding that such vacancy has not been filled the Senate may proceed to hold Election specified in Rule 28-A.

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## SPECIAL ELECTION RULE FOR THE ELECTION BY THE SENATE OF 8 MEMBERS OF THE SYNDICATE.

Re. 28-A. Notwithstanding anything contained in the Statutes and the Rules the election by the Senate of eight members of the -- Syndicate shall be conducted as follows:-

(1) As soon after the publication of the names of the members of the Senate in the official Gazette as possible the Registrar shall inform each member of the Senate of the date fixed by the Vice-Chancellor for the -- election by the Senate of 8 persons from amongst its members to the Syndicate and shall send to each member, fifteen clear days before the prescribed date of -- election, a list of the members of the Senate and an intimation to the effect that nominations duly proposed and seconded as prescribed in Rule 17 shall be received by the Registrar at his Office upto 4 p.m. on a date not later than 7 clear days before the date of election.

(2) Such nominations shall be in accordance with Rules 17 to 19 in so far as they are applicable.

(3) The list of valid nominations shall be sent to -- each member of the Senate at least 5 clear days before the date of election.

(4) The election shall be conducted in the manner prescribed in Rule 27.

(5) After the scrutiny of voting papers is completed, the Registrar shall report to the Vice-Chancellor the result of the scrutiny and shall publish the -- same in the manner prescribed in Rules 42 and 43.

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St.2 should be renumbered as clause (2) of statute 1.

St.3. For the word "mean" substitute the word "include" anddelete the words "Professors, Readers, Lecturers" and renumber the state as sub-clause (3) of St.1.

In St.3(iii) add the words "in the University area " at the end.

St.4. After the word "associations" the words "specified in Enclosure I" shall be substituted; and the word " Enclosure I" at the end shall be deleted.

St.5. (i) For the words "two members by the following literary associations" the words "the literary associations specified in Enclosure I shall elect two members" shall be substituted.

(ii) The word "Enclosure II" at the end shall be deleted.

St.6. After the words "two members" the words "shall be elected" shall be substituted.

St.7, 8 and15. The following shall be substituted :-

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St. 11. For the figures "35" and "21" the figures "30"and"18" shall be substituted.

St. 12. For the figures "35" the figures "30" shall be substituted.

St. 13.(1) For the words "of public" the words "by public" shall be substituted;

(2) for the words "Classes" the word "sub-clauses" shall be substituted;

(3) for the figures "35" and "21" the figures "30" and "18" shall be substituted.

St. 14. For the figures "35" and "21" the figures "30" and "18" shall be substituted.

St. 16. For the figures "21" the figures "18" shall be substituted.

St. 17. For the figures "21" the figures "18" shall be substituted.

St. 19. For the figures "35" the figures "30" shall be substituted.

St. 20. For the figures "21" the figures "18" shall be substituted.

St. 22. For the word "in" where it occurs for the first time the word "or" shall be substituted.

St. 25. For the word "Sixteen" the word "Fourteen" shall be substituted.

St. 27. For the word "eight" the word "seven" shall be substituted.

St. 28. For the word "five" the word "four" shall be substituted.

St. 31. After the word "taken" the word "in" shall be inserted.

St. 38. After the word "but" the word "shall" bhall be substituted.

St. 48. After the word "motion" where it occurs for the ~~first~~ second time the word "as" shall be inserted.

St. 51. After the word "same" where it occurs for the second time the word "as" shall be ~~substituted~~ inserted.

St. 82. For St. 82, substitute the following :- 7375

Boards of Studies: Constitution [Vide section 24(1) & (2)(ii)]

There shall be the Boards of Studies for the subject or group of subjects specified below and the number of teachers to be elected to each such Board shall be as shown against it :-

Faculty of Arts:

| | BOARDS OF STUDIES IN | Elected Members. |
|---|---|---|
| (1) | Kannada | 5 |
| (2) | Hindustani and Urdu | 3 |
| (3) | Marathi | 3 |
| (4) | English | 3 |
| (5) | French, German & Portuguese. | 3 |
| (6) | Sanskrit, Pali & Ardhamagadhi | 5 |
| (7) | Persian and Arabic. | 3 |
| (8) | History, Archaelogy Epigraphy and Numismatics. | 5 |
| (9) | Economics (including Banking Transport and Public Finance for Commerce Courses and Agricultural Economics for courses in Agriculture) and Sociology and Politics (including Civics and Public Administration for Arts and Commerce Courses). | 5 |
| (10) | Psychology, Ethics, Logic and Philosophy. | 5 |
| (11) | Education. | 3 |
| (12) | Commerce, Marketing, Finance and Accountancy and Acturial Science. | 3 |

Faculty of Science: BOARDS OF STUDIES IN

| | | |
|---|---|---|
| (13) | Mathematics and Statistics. | 5 |
| (14) | Physics. | 5 |
| (15) | Chemistry (including Engineering and Agricultural Chemistry). | 5 |
| (16) | Botany (including Agricultural Botany). | 5 |
| (17) | Zoology. | 3 |
| (18) | Geology (including Geology in Engineering courses). | 3 |
| (19) | Geography (including Geography in Commerce courses). | 5 |

Faculty of Law:

| | | |
|---|---|---|
| (20) | Board of Studies in ~~personal~~ Law. | 5 |

Faculty of Engineering:

| | | |
|---|---|---|
| (21) | Board of Studies in Engineering | 5 |

Faculty of Agriculture:

| | | |
|---|---|---|
| (22) | Board of Studies in Agriculture (including Veterinary Science). | 5 |

St. 76. For the word "agenda of" the words "agenda of the" shall be substituted.

St. 79. The entry "Faculty of Social Sciences" shall be ~~delete~~ deleted.

St. 80. shall be deleted.

St. 81.(1) After the entry "Ancient Indian Languages" substitute the following entry :-

| | | |
|---|---|---|
| "1A | Social Sciences .. | History; Economics; Politics; Sociology; Psychology; Ethics; Logic; Philosophy; Education; Commerce; Archaeology; Epigraphy; Numismatics. |

(ii) delete the whole entry the faculty of social sciences.

slip A

St. 85. The words "if he is not already a member of a Board of Studies" shall be deleted.

The statutes will require renumbering on account of --

(1) the inclusion of statutes 2 and 3 as sub-clauses (2) and (3) of statute 1;

(2) the transfer of statutes 7, 8 and 15 at 11, 12 and 13, respectively;

(3) the deletion of statute 80.

The cross references will have to be changed on account of the above amendments.

For rule 11 the following shall be substituted:

"Re. 11. The rolls of persons, public association or bodies entitled to vote at an election to the Senate shall be prepared except when otherwise specified at least clear 30 days before the date of election and shall be kept open for inspection at the University Office."

Re. 12. For the figures "25" the figures "20" shall be substituted.

Re. 14. For the figures "21" figures "18" shall be substituted.

Re. 16. For the word "seven" the word "six" shall be substituted.

Re. 29(7). For the word "lock" substitute the word "lock".

Re. 30. For the words "but once the ~~auction~~ option is exercised, the procedure to be followed shall be strictly in accordance therewith" the following shall be substituted;

"As soon as possible after the ~~auction~~ option to hold the election by post has been exercised, the President or the Chairman of the Public Association or body, not being the Bombay Legislative Assembly or the Bombay Legislative Council, shall inform the Registrar accordingly. The Vice-Chancellor shall ~~him~~ appoint the President or the Chairman or the Vice-~~Chancellor~~ President or the Vice-Chairman of the Public Association or body as a Returning Officer for the purpose of holding the election. The Returning Officer so appointed shall, for the purpose of such election exercise, ~~in~~ as far as may be, the powers of the Registrar under rules 22 to 24 (both inclusive) and 32 to 40 (both inclusive) of these Rules."

For the heading and the last rule 28-A, substitute the following :-

For rule 11 the following shall be substituted:-

"Re.11. The rolls of persons, public associations or bodies entitled to vote at an election to the Senate shall be prepared except when otherwise specified at least clear ~~35~~ 30 days before the date of election and shall be kept open for inspection at the University Office."

R.12, 20
R.14, 18
R 16 xx

Re.29(7). For the word "look" substitute the word "lock".

Re.30. For the words "but once the auction is exercised, the procedure to be followed shall be strictly in accordance therewith" the following shall be substituted;

"As soon as possible after the auction to hold ~~xkx~~ the elction by post has been exercised, the President or the Chairman of the public associatian or body, not being the Bombay Legislative Assembly or the Bombay Legislative Council, shall inform the Registrar accordingly. The Vice-Chancellor shall the appoint the President or the Chairman or the Vice-~~Chancellor~~ President or the Vice-Chairman of the public association or body as a Returning Officer for the purpose of holding the election. The Returning Officer so appointed shall, for the purpose of such election exercise, as far as may be, the powers of the Registrar under rules 22 to 24 (both inclusive) and ~~x~~ 32 to 40 (both inclusive) of these Rules."

For the heading and the last rule 28-A, substitute the following:-

85

.82 '81. (1)* .apli nū entry

" Amicis Indian Langage

" institutiū nū fetching
entry

— 1A' Social Historij; Economics,
" 2" Science Politics; Sociology
Psychology; Ethics; Logic; Philosophy; Economic
Commerce; Accountancy; Eng

grapply and
Nonmaimonic

(11) debit mi nonce entry
mi Jacenty of Social
Sciences

St.13.(i) For the words "of public" the words "by public" shall be substituted and (ii) for the words "Classes" the word "sub-clauses" shall be substituted.

St.22. For the word "in" where it occurs for the first time the word "or" shall be substituted.

St.38. After the word "but" the word "shall" shall be substituted.

St.51. After the word "same" where it occurs for the second time the word "as " shall be substituted.

St.79. The entry "Faculty of Social Sciences" shall be deleted.

St.80 shall be deleted.

St.82. For the words "The following shall be the Boards of Studies under the provisions of section 24(1) and the number of elected members to each shall be as shown against them as below" the following words shall be substituted:-

"There shall be the following Boards of Studies for the subject or group of subjects specified below and the number of teachers to be elected to each such Board shall be as shown against it"

St.85. The words "if he is not already a member of a Board of Studies" shall be deleted.

The statutes will require renumbering on account of -

(1) the inclusion of statutes 2 and 3 as sub-clauses (2) and (3) of statute 1;

(2) the transfer of statutes 7,8 and 15 at 11, 12 and 13, respectively;

(3) the deletion of statute 80.

The cross references will have to be changed on account of the above amendments.

Statutes
1-20
76-85

R15, R21

4357/2.

MEMO OF POINTS TO BE DISCUSSED
WITH THE LEGAL REMEMBRANCER

In section 15 Deans of Faculties are mentioned as ex-officio members of the Senate; but they will not be elected until the Faculties are completed by the assignment to them of the 4 persons elected by the Senate to the Academic Council. Perhaps an explanation like the one appearing in section 22 is necessary.

Will S.59 enable the Senate (minus Deans) to proceed with the election of 4 members to the Ac. Co. ?

Statute 7 and Statute 8 together are intended to prevent Registered Graduates from standing as candidates or voting in multiple constituencies.

In Statute 15 the place of birth in the University area as one of the eligibility qualifications for a Registered Graduate follows the practice of the Mysore University.

Section 20 - An explanatory note enabling the Senate to proceed with the election of 4 members to the Academic Council without the Deans of Faculties is necessary.

In section 24 sub-section (3) ~~clause (iii)~~ the Chairman to be nominated by the Vice-Chancellor will have to be from amongst the elected members for ex-officio members of the Board.

The wording in sub-section (2) clause (ii) suggests that the Board is duly constituted without the presence of co-opted members.

If the Board is not held to be constituted in the absence of co-opted members definite procedure will have to be laid down by Statutes to enable the Boards to co-opt such members.

Does section 59 enable the Senate minus the Denas of Faculties to proceed with the election of the members to the Academic Council?

FTD

Should the Panchayat be deemed required to amend the Act.

The Statute relating to the registration of graduates to be construed in a manner as will give some relief to the effect to exist & proceed with the preparation of rolls almost immediately -

Does R 31 of election Rules require an amendment so as to include the elections under sec 15 cl II A i & ii & 24 (2)(ii)

Mr Jagannadha Rau requests Mr Kamalak urgently -

Dt. 29/9

The Registrar, Karnatak University, has forwarded an advance copy of the Provincial Statutes and Election Rules under section 65 of the Karnatak University Act, 1949. The original letter has been forwarded to the Secretary to Government, Edn. Deptt., and no reference has still been made to the R.L.A. In the meantime the Statutes and Rules have been scrutinised as desired by the R.L.A. The provisional draft Statutes and Election Rules follow the wording of the Provisional Statutes and Election Rules made by the Vice-Chancellor of the Poona University.

slip Z

2. The Provincial Statutes clean copy attached as amended are in order subject to the following observations:-

(1) St.2 and St.3 have been combined with St.1 as they all define the words used in the Statutes. The subsequent Statutes have therefore been renumbered.

(2) Draft St.7, St.8 and St.15.- All these three Statutes deal with the registration of Graduates and as they are inter-dependent they have been brought together as Statutes 11, 12 and 13 in the revised draft.

(3) Draft St.79 and 80 - Section 18(1)(iv) of the Karnatak University Act, 1949, provides that the Academic Council shall elect from amongst its members 5 persons on the Syndicate to represent the different Faculties in the manner prescribed by Statutes. Section 22(1) of the Act provides that the University shall include the Faculties of Arts, Science, Law, Engineering and Agriculture and such other Faculties as may be prescribed by the Statutes. The draft

Similar observations were made with reference to the corresponding provisional statutes of the Poona University. (Vide slip A)

St.79 has specified and additional Faculty of Social Sciences. The reference to the new Faculty of Social Sciences would not be appropriate in the said Statutes for the following reasons: Under section 22(1) the University shall include five Faculties specified therein and such other Faculties as may be prescribed by the Statutes. The power to make statutes vest in the Senate. The powers, however, of the Senate which are not of a transitory character cannot be exercised by the Vice-Chancellor und section 65. The said Faculty can be added by a Statute when the Senate is duly constituted. Revised draft St.79 may therefore be recast so as to exclude the proposed new Faculty and distribute the representation between the remaining Faculties and St-80 has been deleted.

(4) Draft St.81:- For the reasons given above for excluding the Faculty of Social Sciences the subjects shown thereunder in draft St.80 may be split up in other Faculties as may be thought fit. When the new Statute creating the said Faculty has been made, the subject now proposed to be comprised in that Faculty may be brought under that Faculty.

(5) Draft.St.82.- Section 24(1) contemplates that a Statute should prescribe a subject or group of subjects for which a Board of Studies is to be constituted. In view of this provision against entry (15) only the subject "law" and against entry ~~(17)~~ only the subject "agriculture" should be shown so that the Board of Study will be constituted for each of the said subjects. Sub-section (2) of sec.24 provides that each Board shall consist of Heads of University Departments in the subjects for which the Board is constituted.

In

In the draft Statute 81, however, four different subjects have been shown under the Faculty of Law. The same subjects may be repeated in the draft Statute 82(now revised Stateute 80) under the Heading "Faculty of Law", so that a Head of University Deptt. would be represented on the Board of Studies for the particular subject. If the subjects are so split up, only one person will represent all the subjects to the disadvantage of other Professors teaching other subjects.

(6) Draft St.85.- The Statute provides that the Academic Council shall under certain circumstances have the power to assign its member to one or more of the Faculties. Sec.22(2)(ii) of the Act provides that each Faculty shall consist of members of —

(i) members of the Academic Council who are assigned to the Faculty by the Academic Council, and

(ii) members of the Boards of Studies for the subjects comprised in the Faculty. If the Academic Council desires to assign a member to the Faculty from amongst its members the provision of sec.22(2)(i) will have to be followed and no statutes for the purpose is competent under the Act. The said State 85 may therefore be deleted.

The draft Election Rules as amended are in order subject to the following observations:-

Rule 30.- With reference to the wording of the similar rule made by Vice-Chancellor under section 65 of the Poona University Act, 1948, a doubt was raised in connection with the election by the Poona Suburban Municipality on the Court of the Poona University whether the Municipality was competent to conduct the

election of its representatives by collecting the votes of the members through ordinary post or whether it was incumbent upon the President of the Municipality to conduct the election by following the procedure "for election by post" as described in the Poona University Election Rules. The same wording has been followed in rule 30 of the draft Election Rules. It is therefore necessary to recast the rule 30 so as to make it clear that where a public body or association makes an option to conduct the election by post, the procedure to be followed should be as described in rules 222 to 24 of the Election Rules. Rule 30 has therefore been recast.

The draft rule 28A which has been shown after draft rule 44 has been given a regular serial number as it is a special rule for the election by the Senate of members on the Syndicate and can very well appear at the end.

The points raised by the Vice-Chancellor (Mr.Jahagirdar) have been asnwered below.

Points 1,2,5 and 9.- Under section 20 of the Karnatak University Act, 1949, the right of electing four persons on the Academic Council is given to the Senate. The Deans of Faculties are however ex-officio members of the Senate. They are also ex-officio members of the Academic Council. Explanation to Section 22(2) of the Act however provides that Academic Council can assign members to the Faculty without there being Deans of Faculties on the Academic Council. Itewas contemplated by the Act that the Deans of Faculties will not be in existence until the Faculties are formed. The Senate therefore can proceed to elect four persons from among themselves on the Academic Council which

which in turn is to proceed to elect members on the Faculty. The Faculty so created will elect a Dean of each Faculty who then automatically become ex-officio member of the Senate as well as on the Academic Council. Section 59 of the Act enables the Senate ~~thm~~ to function even though there are vacancies on it. The answer to points 3 and 4 is in the affirmative.

The answer to points 6 and 7 is in the affirmative. The point 8 does not survive in view of the answer to points 6 and 7.

Point 10 not understood.

Point 11 is for E.D. to consider.

Point 12.- In view of the provisions of draft Statute 9(now revised Statute 7) and of rules 21(a)and (d) and 22 it is not necessary to amend rule 31 so as to include the election under section 15(1) - Class II(A) (i)&(ii) and section 24(2)(ii).

WJP
8/10

Adele Seng

PROVISIONAL STATUTES AND ELECTION RULES.

[Under section 65(2)(a) of the Karnatak University Act, 1949 (Bom.XX of 1949).]

~~[Section 2(10) (12).]~~

Preliminary Definitions.

St.1.(1)For the purposes of the Provisional Statutes the term "Secondary Teachers" shall mean teachers imparting instruction for not less than 12 hours a week in a high school in the University Area.

(2) The term "Head Master" shall mean the head of a High School.

(3) The term "Teacher" shall [include] mean —

(i) [Professors, Readers, Lecturers,] demonstrators and tutors imparting instruction for not less than 4 hours a week in a college in the University area affiliated to the Bombay University;

(ii) every person who is appointed or recognised as a teacher of the University; and

(iii) every member of the teaching staff of a recognised institute in the University area.

AUTHORITIES OF THE UNIVERSITY.

( Chapter IV of the Act.)

THE SENATE.

Constitution.

St.2. The [following] four (as specified in the Enclosure) associations shall elect one member each under the provisions of section 15(1) Class II(A) (iv) (e). [(Enclosure I)]

St.3. [Two members by] the [following] literary associations under the provisions of section 15(1) Class II(A)(iv)(g). [(Enclosure II).] (as specified in Enclosure II hereto annexed shall elect two members)

St.4. Two members shall be elected by the Karnatak Chamber of Commerce from amongs its members under the

provisions of section 15(1) Class II(A)(iv)(h).

St.5. Donors to the University shall elect one member under the provision of section 15(1) Class II(E) and one member under the provision of section 15(1) Class II(F).

ELECTIONS TO THE SENATE.

St.6. All elections to the Senate shall be held in accordance with the system of proportional representation by means of a single transferable vote and in the manner prescribed in the Election Rules.

St.7. In the case of elections to the Senate under section 15(1) Class II(A)(i) and (A)(ii) at least 35 clear days before the date of election, the Registrar shall have a roll prepared of all those entitled to vote thereat, and not less than 21 clear days before the date of election, shall send to all those whose names are entered in the respective rolls, a notice of election to be held by post in accordance with the procedure prescribed in the Election Rules. In the preparation of the roll of secondary teachers of High Schools (excluding the head masters thereof) the names of only such secondary teachers (vide Statute 1) shall be included in the roll as are on the date of its preparation, members of the teaching staff of a High School as defined in sub-section (4) of section 2 of the Act. In the case of Headmasters, the rolls shall include the names of Headmasters only of High Schools as defined in sub-section (4) of section 2 of the Act, and not more than one name shall appear as the Headmaster of any High School.

St.8. In the case of elections to the Senate by teachers from amongst themselves, under paragraph (A)(iii) of section 15(1) Class II at least 35 clear days before the date of election, th

Registrar shall have a roll prepared of persons defined as teachers (Vide Statute 31(3)). Election from this constituency shall be held at all centres where colleges are situated, and in the notice of election, places shall be notified where the voters will go in person to vote. For each centre of election, a place of polling shall be fixed, a Returning Officer shall be appointed and he shall be held responsible for the conduct of the election in accordance with the instructions issued to him.

St.9. In the case of elections of ordinary members of public association or bodies named in ~~Classes~~ sub clauses (a),(b),(c),(d),(e) and (h) of paragraph (A)(iv) of section 15(1) Class II, at least 35 clear days before the date of election, the Registrar shall prepare a list of the public associations and and bodies entitled to a representation vote on the Senate and not less than 21 clear days before the date of election, the Registrar shall notify to the public associations and bodies whose names are entered in this list that an election of their representative to the Senate of the University is due, indicating, at the same time, the date by which the result of the election shall be communicated to the University.

St.10. In the case of the election of ordinary members under clauses (f) and (g) of paragraph (A)(iv) of section 15(1) Class II, the Registrar shall, at least 35 clear days before the date of election, prepare the rolls of public associations and bodies entitled to vote and shall notify at least 21 clear days before the date of election to each of the public associations and bodies concerned that an election of their representatives is due to be

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held and shall invite nominations therefor before an appointed date. The election shall be held in the manner prescribed in rule 31 of the Election Rules.

St.11. (1) For the purpose of the constitution of the first Senate, all graduates of any Indian University established by law whose place of birth is in the University area or who oridinarily reside or carry on business in the University area shall, on payment of Rupees five, be entitled to have their names enrolled in the Register of Registered Graduates and vote at the election of members from the Registered Graduates Constituency in the manner provided in section 15(1) Class II(A)(iv)(i).

(2) Any such graduate shall —

(i) make an application to the Registrar on or before the * 1949 in the prescribed by the Registrar;

*To be filled in.

(ii) produce evidence to the satisfaction of the Registrar of his having taken the degree or degrees referred to in the application; and

(iii) submit such details as will enable the Registrar to enroll him in one or more of the constituencies referred to in clause (1).

St.12. For the purpose of the election of ordinary members, a person entitled to stand as a candidate or to vote in more than one constituency mentioned in section 15(1) Class II(A)(iv)(i) shall elect any one constituency from which he desires to stand as a candidate or to vote at the election and shall inform the Registrar of his decision before the date fixed for the scrutiny of

nominations for that constituency.

St.13. If a person entitled to stand as a candidate or to vote in more than one constituency mentioned in section 15(1) Class II(A)(iv)(i) does not inform the Registrar of the constituency from which he desires to stand as a candidate or to vote at the election before the date fixed under Statute 12 he shall be deemed to have elected —

(i) the law graduates constituency, if such person is a law graduate in addition to his being a graduate in any other subject;

(ii) the medical graduates constituency, if such person is a medical graduate in addition to his being a graduate in any other subject other than law;

(iii) the engineering graduates constituency, if such person is a graduate in Engineering in addition to his being a graduate in other subject other than law or medicine.

St.14. For the election of ordinary members under ~~1, 2, 3, 4~~ sub-clause (i) of paragraph (A) (iv) of section 15 (A) Class II, the notice of election shall be published in the Bombay Government Gazette and in newspapers to be selected by the Vice-Chancellor at least 21 days before the date of election and the Registrar shall invite nominations therefor before the last date fixed for receiving nominations.

St.15. In respect of nominations to be made under paragraph (B) under class II in section 15(1), the Registrar, shall, not less than 21 clear days before the due date for nomination, communicate to the Chancellor the due date of nomination and the recommendations of the

Vice-Chancellor and request him to furnish, not later than the due date, the names of the persons nominated by him.

St. 16. In respect of paragraph (C) under Class II in section 15(1), a list shall be maintained by the Registrar of all donors entitled under the provisions of this paragraph to serve as members of the Senate. Each one of those whose names are so entered in the said list shall be requested by the Registrar to intimate to the University whether he will be willing to serve as a member of the Senate. If a reply is received in the affirmative, the person concerned shall become a member of the Senate from the date of receipt of such reply.

St.17. In respect of nominations to be made under paragraph (D) under Class II in section 15(1), the Registrar shall request the body referred to therein to intimate to the University ~~with~~ within 35 days of the receipt of such request from the Registrar, the name degrees and address of its nominee to serve as a member of the Senate and from the date of receipt of such intimation, the person so nominated shall become a member of the Senate. The Registrar shall prepare a separate list of bodies referred to in this paragraph showing against each of them the date of acceptance by the Syndicate of their respective donations.

St.18. For the election by the donors under paragraphs (E) and (F) under Class II in section 15(1) the Registrar shall maintain lists of persons entitled to vote in accordance with the qualifications laid down therein. The Registrar shall notify at least 21 clear days before the date of election to each of the

persons included in the lists that an election of their representatives is due to be held and shall invite nominations therefor before an appointed date.

105 115

## PROCEDURE AT MEETINGS OF THE SENATE.

(vide section 27 (viii) of the Act).

St. 19. Meetings of the Senate shall be held in the University premises unless the Chancellor or the Vice-Chancellor otherwise directs.

St. 20. The Chancellor, or in his absence the Vice-Chancellor or in the absence of both, a member elected by the meeting, shall preside at the meetings of the Senate. The senior member present shall take the Chair for and until such election only.

St. 21. Twenty members of the Senate shall form a quorum and all questions shall be decided by a majority of votes of the members present, the Chairman in the case of an equality of votes, having a second or casting vote.

St. 22. Such proposals and amendments only as are immediately conected wit. the Karnatak University and are in accordance with the Act shall be entertained and debated in the Senate.

St. 23. Sixteen clear days before the day fixed for a meeting of the Senate, the Registrar shall forward to each member of the Senate a statement of business to be brought before the meeting and of the terms of all Resolutions to be then proposed, together wit. the name of the proposer of each, intimation in writing of which has previously reached him. The inclusion of a Report of any Committee of the Senate in the Agenda paper shall be held to be equivalent to the notice of motion for its adoption.

St. 24. When a motion which has been moved by a member of the Senate is referred by the Senate to the Syndicate for report and the report of the Syndicate shall take the place of the original motion, and its adoption shall be moved as a motion recommende

by the Syndicate. Notwithstanding anything contained in the Statutes, the mover of the original motion or any other member may move an amendment that the report be recorded and that the original motion be accepted.

St. 25. Notice in writing of the proposed amendments an the terms thereof and of motions for any change in the order of business as set forth in the statement must be forwarded so as to reach the Registrar eight clear days before the day of meeting.

( Clear days means days exclusive of the day on which a notice reaches the Registrar and of the date of the meeting. Thus, if the meeting is fixed for Thursday and "five clear days" notice is required, the notice must reach the Registrar on the previous Friday, if for Saturday, the notice must reach him on the previous Saturday).

St. 26. The Registrar shall five clear days before the day of the meeting, forward to each member of the Senate a statement of all the motions and amendment; and no motion or amendment, of which such notice has not been given, shall be put to the meeting, other than a motion for dissolution, adjournment, or suspension of the sitting, for passing to the next business on the statement, for directing the Syndicate to view their decision for referring the matter under consideration to the Syndicate, Academic Council or a Faculty for report, or an amendment accepted by the Chairman as merely formal.

ORDER OF BUSINESS.

St. 27. Each member, before he takes his place, shall register his attendance in a book placed for the purpose at the entrance of the place of meeting.

St. 28. If there is no quorum at the commencement of a meeting, the Chairman shall, at the expiration of a quarter of an hour, take notice whether there are twenty members present; and if there are not, the meeting shall

forthwith be adjourned to such a date as the Chairman may appoint. Such adjournment shall be recorded by the Registrar under the signature of the Chairman. In the case of a meeting adjourned for want of a quorum, no quorum will required.

St. 29. At every meeting the business to be entertained shall, unless the meeting by a special vote otherwise determine, be taken in the following order :-

(1) The election, if it is part of the business to be entertained at the meeting, of the Chairman.

(2) The signing of the minutes of the previous meeting or adjourned meeting.

(3) The election, if it is part of the business to be entertained at the meeting, of any official of the University.

(4) The consideration of the Annual Financial Statement and resolutions thereon when they are part of the business to be entertained at the meeting.

(5) The consideration of Ordinances and Regulations, motions for making, amending and repealing Statutes, and proposals recommending amendments in the Act.

(6) Any motion for a change in the order of business, provided that such motions shall not affect the order hereinabove indicated, or give priority to any item of business over the items mentioned in (1) to (5) above or any of them.

(7) Any business and motions of which due notice has been given in the order in which such business and motions are entertained in the statement of business and motions to be brought forward subject to provisions of this Statute and Statute (34).32.

## RULES OF DEBATE.

St. 30. Every motion shall be moved by the member in whose name it stands, or, if he is absent or declines to move it, it may be moved by any other member.

St. 31. Every motion at a meeting must be seconded ; otherwise it shall drop. The seconder of a motion may reserve his speech.

St. 32. When a motion has been seconded, it shall be stated from the Chair.

St. 33. When the proposal has been thus stated, it may be discussed as a question to be resolved simply in the affirmative or negative or as proposed to be varied by way of amendment. When, before or after debate, no member rises to speak to the motion, the Chairman shall proceed to put the question to the vote in the manner hereinafter mentioned.

St. 34. A substantive proposal once brought forward shall not be proposed a second time at the same meeting or at any adjournment thereof. A proposal substantially identical in part with one already disposed of may be brought forward at the same meeting or at any adjournment thereof with the omission of such part.

St. 35. Not more than one proposal and one amendment thereto shall be placed before the meeting at the same time. Each amendment shall be disposed of before the next is moved. All amendments, which are not withdrawn shall be considered and voted upon. In case no notice of amendment has been given, the Senate shall at once proceed to consider and to vote upon the proposal.

St. 36. In any debate a member may move (but shall not make any speech on the motion) that the question be now put' and unless it shall appear to the Chairman that such motion is an infringement of the rights of reasonable debate, the motion ' that the question be now put' shall be put to the vote forthwith, and decided without amendment or debate.

St. 37. When the motion 'that the question be now put ' has been carried, the Chairman shall call upon the mover of the proposal or amendment under consideration to reply.

St. 38. No member of the Senate save with the permission of the Senate as herein provided, shall speak for more than 20 minutes, when proposing a motion, or for more than 10 minutes, when proposing an amendment, provided always that the said time limit shall only be operative when the Chairman, either 'suo motu' or at the instance of a member of the Senate, draws the attention of the Senate to the fact that the time limit has been exceeded. On the attention of the Senate being thus drawn, the Chairman shall take the vote of the Senate whether the speaker shall be given a further period of 10 minutes or not. If the vote of the Senate is in the negative, the speaker shall bring his remarks to a close with such few sentences as the Chairman may at his discretion allow, but shall not othereise continue to address the Senate. If the vote is in favour of the speaker continuing he may address the Senate for a further period of 10 minutes when the same procedure may be repeated, whether or not the Chairman's attention is drawn to the time limit.

## AMENDMENTS.

St. 39. No amendment shall be proposed which would reduce the proposal to a negative form.

St. 40. No amendment shall be proposed which raises a question already disposed of by the meeting , or is inconsistent with any resolution already passed by it.

St. 41. The order in which amendments to a proposal

St. 42. An amendment, the substance of which has been disposed of in part, may be modified by its proposer so as to retrin only the parts not so disposed of.

St. 43. When an amendment has been moved and seconded, it shall be stated from the Chair, and then the debate may proceed on the original proposal and the amendment together; but so far as the question raised by the amendment is one on which a member has not yet spoken he may speak to that question, though he has spoken on the original question, or a previous amendment.

St. 44.

(a) Every amendment shall be in such form that it modifies the original motion by any or all of the following methods :-

(1) By addition of words.
(2) By deletion of words.
(3) By substitution of words.

and the mover of the amendment may state the motion or the part thereof affected as it would stand when so amendmd.

(b) An amendment shall be relevant to and within the scope of the motion to which it is proposed.

(c) An amendment in the alternative should not be moved.

St. 45. If any amendment be carried, it shall become part of the motion before the Senate and the motion shall be modified accordingly.

St. 46. When all the amendments have been considered of which due notice has been given, the original motion or the original motion as amended in course of debate sh shall be placed before the Senate and put to the vote without further discussion.

## WITHDRAWAL OF A QUESTION.

St. 47. No question shall be withdrawn from the decision of the Senate without its unanimous consent.

If the mover states his wish to withdraw a proposal or amendment and if no objection is stated thereto in the interval allowed by the Chairman for the purpose, the Chairman shall declare that the question is withdrawn with the consent of the Senate.

## RESOLUTION OF THE SENATE INTO A COMMITTEE.

St. 48.

(a) The Senate may, when it thinks fit resolve itself into a Committee to consider any item which may be on the Agenda of business.

(b) A motion for the resolution of a meeting into a Committee may be made by any member at any time ( but not so as to interrupt a speeck) without the notice required under Statute 25 but can only be placed before the Senate for considerat on, if the Chairman gives permission for this to be done.

(c) No speeck shall be allowed in moving the motion .

(d) No such motion shall be considered unless at least fifteen members rise in support thereof.

(e) The motion, then having been duly seconded, shall be put to the meeting without further discussion and shall only be carried if two - thirds of the members present vote in its favour.

St. 49.

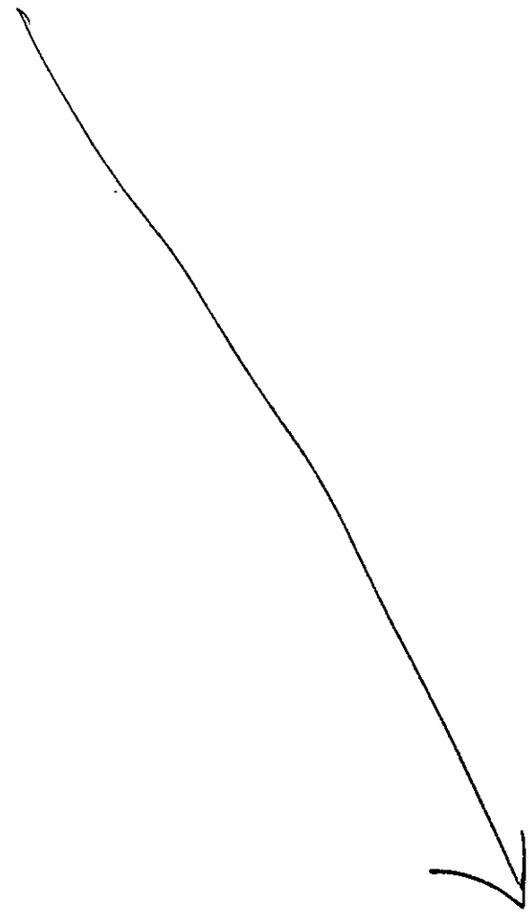
(a) When the Senate decides in this manner to resolves itself into a Committee, the Chairman shall be the same as for the meeting of the Senate and the quorum shall be the same as for the meeting of the Senate.

(b) The manner in which the discussion of the matter under consideration shall be conducted shall be in the discretion of the Chairman. When in the judgment of the Chairman, the matter has been sufficiently discussed, the Committee shall embody its conclusions in a report to be signed by the Chairman.

(c) The period during which the Senate is sitting in Committee shall be considered as a suspension of the sitting of the Senate, and immediately it terminates, the Senate shall be again called to order by the Chairman, and the report of the Committee's deliberations presented to it by the Registrar.

(d) If any of the resolutions of the Committee involve recommendations not covered by the motion and the amendment to that motion on the Agenda of the meeting, they shall not be considered by the Senate until notice of these has been given as required under Statute.25.

(e) A motion made as a result of the deliberations of such a committee may be presented to the Senate without previous consideration by the Syndicate.



## ADJOURNMENT ETC.

St. 50. A proposal "that this meeting be now dissolved" may be moved at any time as a distinct question, but not as an amendment nor so as to interrupt a speech. If the motion is carried, the business before the meeting shall drop.

St. 51. A proposal "that the meeting ne now adjourned to some specified time" may be moved at any time as a distinct question, but not as an amendment nor, except on the motion of the Chairman so as to interrupt a speech. If it be negatived, the debate shall be resumed. The same rule will apply to a meeting of the Senate in Committee.

St. 52. No amendment shall be moved a proposal under the last preceding Statute, except one for substituting a different time for that to which it is proposed to adjourn the meeting.

St. 53. A meeting renewed or continued after an adjournment is to be deemed one with that preceding the adjournment; provided that if the meeting be adjourned to such date as to admit of the notice required by Statute 25, any amendment, otherwise in order, may be moved at an adjourned meeting if the notice so required by duly given.

St. 54. The motion "that the meeting pass to the next business on the statement" may be made at any time as a distinct question, but not as an amendment, nor so as to interrupt a speech. If such a motion be carrie the proposal under consideration and the amendment thereto shall not be further dealt with at the meeting.

St. 55. No motion for the dissolution, or for the adjournment of the meeting, orf for the suspension of the sitting, or to pass to the next business, shall be made or spoken to during a debate by any member who has spoken in the debate. Any such motion shall take the place of any question that may be before meeting and, if not withdrawn, must be disposed of before such question.

St. 56. When a motion of the class contemplated in the last preceding Statute has been brought forward and negatived, no other motion of that class shall be again brought forward until after the lapse of what the Chairman shall deem a reasonable time; not shall a debate be allowed on such a second or subsequent motion brought forward during a debate on the same proposal discussed alone, or the same proposal and amendment discussed together.

RIGHT OF SPEECH AND REPLY.

St. 57. On each proposal, or proposal and amendment in debate, a member may speak once, subject to the provisions of Statutes 43 and 55.

St. 58. After the mover of a motion or amendment has spoken, the other members may, save as otherwise provided, speak to the motion or amendment in such order as the Chairman may call upon them.

St. 59. Save in the exercise of a right of reply or as otherwise provided, no member shall speak more than once except with the permission of the Chairman for the purpose of making a personal explanation; but in such cases no debatable matter shall be brought forward.

St. 60. The mover of a motion may speak a second time on the conclusion of a debate by way of reply.

St. 61. The mover of an amendment, or when there is no amendment, the mover of the original resolution, may reply upon the debate before each cote thereon is taken. But the mover of a motion for a dissolution or adjournment, or for the suspension of the sitting or for passing to the next business on the statement has no right to reply.

St. 62. No member shall speak to the question after the mover has entered on his reply.

St. 63. The Chairman has the same right of moving or seconding a motion or amendment and of otherwise

taking part in the debate as any other member. When the Chairman thus takes part in the debate, he shall vacate the Chair whilst he is addressing the meeting, and the Chair shall during such time be taken by the Senior member present not being the Chairman.

## POINTS OF ORDER.

St. 64. Any member may call the Chairman's attention to a point of order even whilst another member is addressing the meeting, but beyond stating the precise point of order raised, he shall not make a speech. Such a call pronounced by the Chairman to be vexatious, and any interruption or obstruction to the progress of the business before the Senate pronounced by the Chairman to be unseemly or unreasonable, shall be deemed a breach of order.

St. 65. The Chairman shall be the sole judge on any point of order and may call any member to order; and, if the member so called to order shall, in speaking, disregard such call, the Chairman may direct him to sit down and thereupon another member may speak.

St. 66. In the event of any contumacious disregard of a ruling or call to order by the Chairman, he may request the member so offending to leave the meeting, and on such request the member named by the Chairman shall be suspended from his functions as a member during the meeting, and shall be bound immediately to withdraw.

VOTING.

St. 67. On putting any question to the vote, the Chairman shall call for an indication of the opinion of the Senate by a show of hands in the affirmative or negative, or by sitting and raising, and shall declare the result thereof according to his opinion. If the votes are actually counted, the number of votes on either side shall be recorded in the minutes.

St. 68. Any member may then demand a Division except on a motion for adjournment, or a vote of the Senate taken under Statute 40, 38 Voting in all Divisions shall be by ballot.

St. 69. The Chairman shall thereupon appoint four Tellers, two on each side; and shall give such directions for effecting the divisions as he shall consider expedien

St. 70. In every division only such members as were present the putting of the question shall be entitled to vote. Voting shall be on papers supplied at the meeting by the Registrar and every voting paper shall be returned with or without the vote.

St. 71. Upon the Chairman annoucing the Division to be closed, the Tellers shall state in writing the number on each side, sign the statement, and hand it to the Chairman, together with the voting papers (in two separate bundles), whereupon the Chairman shall declare the result of the Division of the meeting, and the result shall be recorded in the minutes.

St. 72. If, after a Division has been taken, five members present shall demand a recount, the Chairman shall appoint two or more members to act with the Tellers who shall report the facts found by them to the Chairman, who shall thereupon declare the result to the meeting, and such declaration shall be conclusive

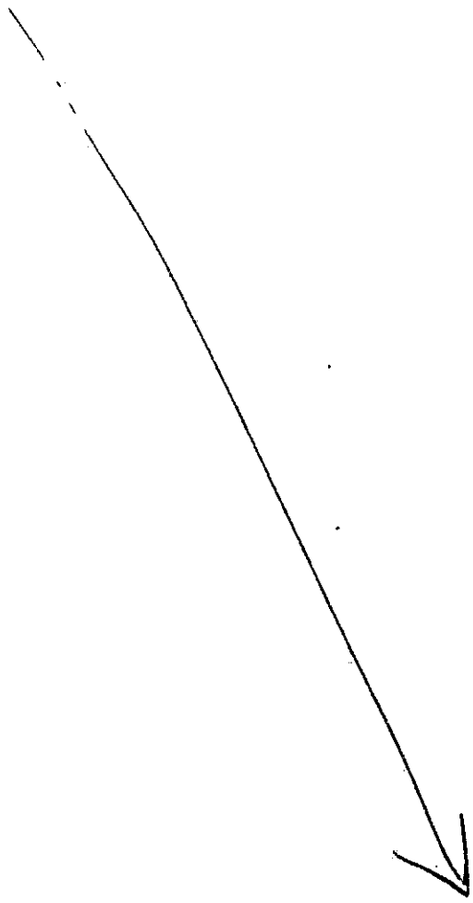
St. 73. Pending the recount, the Chairman may, in his discretion, either suspend the sitting or call for such business as may, in his opinion, be most conveniently proceeded with. Business thus entered on shall be proceeded with; but on its disposal the regular order of subjects, if it has been departed from shall be resumed.

LAPSING OF BUSINESS.

St. 74. All motions, together with their amendments, if any, on the agenda of a Senate Meeting which have not been moved or voted upon for want of time or any other reason at the meeting to which the agenda relates, shall, at the close of the meeting, be deemed to lapse; such motions shall not be placed on the agenda of next or subsequent meetings, save on receipt of a fresh notice from from the mover of the same or from any other member of the Senate stating that he intends to move the proposa at such meeting; provided, however, that a motion shall not lapse if a part thereof or an amendment thereto has been voted upon.

MINUTES:

St. 75. After every meeting or adjourned meeting of the Senate, the Registrar shall as early as possible within six weeks, send a copy of the draft minutes of such meeting to the address of each member of the Senate. In the event of any exception being taken to the correctness of the minutes as circulated, the attention of the Chairman shall be called to the matter before he signs the minutes, and he shall make such alterations as he may find to be necessary.



St.76. Teachers and Principals of Colleges in the Karnat University area, at present affiliated to the University of Bombay, shall, for all purposes connected with the arrangments for the constitution of the Senate, the Syndicate, the Academic Council and other authorities of the University, be deemed to be teachers and Principals of Colleges affiliated to the Karnatak University.

St.77.

Constitution of the Syndicate.

The following Faculties shall be represented on the Syndicate under the provisions of Section 18(1)(iv) by members respectively belonging to them in the manner shown below:

| | |
|---|---|
| Faculties of Arts and Law | ..... 1 |
| Faculty of Science | ..... 1 |
| Faculties of Engineering and Agriculture. | ..... 1 |
| ~~Faculty of Social Sciences~~ | ~~..... 1~~ |

St.78.

Faculties' Constitution. (Vide Section 22).

In addition to the Faculties specified in sub-Section (1) of Section 22, there shall be the Faculty of Social Studies.

St.79.78 The subjects comprised in each of ~~x~~ these Faculties shall be as follows :-

Faculty of Arts:

| | | |
|---|---|---|
| Modern Indian Languages: | | Kannada; Marathi; Hindi; Urdu. |
| Modern European Languages: | | English; German; French; Portuguese; |
| Ancient Indian Languages: | | Sanskrit; Pali& Ardhamagadhi. |
| Ancient Asiatic Languages: | | Persian; Arabic. |
| Faculty of Science: | : | Mathematics; Statistics; Physics; Chemistry; Botany; Zoology; Geology; Geography. |
| Faculty of Law: | : | Personal Law; Jurisprudence; Law of Property, Contracts & Torts Criminal Law. |
| Faculty of Engineering: | : | Civil Engineering; Mechanical Engineering; +Electrical Engineering; Tele-communications. |
| Faculty of Agriculture | : | Agriculture; Veterinary Science. |
| ~~Faculty of Social Science:~~ | | History; Economics; Politics; Sociology; Psychology; Ethics Logic; Philosophy; Education; Commerce; Archaelogy; Epigra & Numismatics. |

Board of Studies: Constitution (Vide section 24(1) and (2) (ii) 7 There shall be the Boards of Studies for the subject or group of subjects specified below and the number of teachers to be elected to each such Board shall be as shown against it.

| | | |
|---|---|---|
| (2) | Hindustani and Urdu | 3 |
| (3) | Marathi | 3 |
| (4) | English | 3 |
| (5) | French, German & Portuguese. | 3 |
| (6) | Sanskrit, Pali & Ardhamagadhi | 5 |
| (7) | Persian and Arabic. | 3 |
| Faculty of Science: | BOARDS OF STUDIES IN | |
| (8) | Mathematics & Statistics. | 5 |
| (9) | Physics. | 5 |
| (10) | Chemistry (including Engineering and Agricultural Chemistry) | 5 |
| (11) | Botany (including Agricultural Botany) | 5 |
| (12) | Zoology | 5 |
| (13) | Geology. (including Geology in Engineering courses) | 3 |
| | Personal Law; Jurisprudence; Law of Property, Contracts & Torts. Criminal Law. | |
| Faculty of Agriculture: | | |
| (17) | Board of Studies in ~~Agriculture~~ Agriculture (including Veterinary Science). | 5 |
| Faculty of Social Sciences: | | |
| (18) | History, Archaelogy, Epigraphy and Numismatics. | 5 |
| (19) | Ecomomics (including Banking, Transport and Public Finance for Commerce Courses and Agricultural Economics for courses in Agriculture) and Sociology and Politics - (including Civics and Public Administration for Arts and Commerce Courses. | 5 |
| (20) | Psychology, Ethics, Logic and Philosophy. | 5 |
| (21) | Education | 3 |
| (22) | Commerce, Marketing, Finance & Accountancy and Acturial Science. | 3 |

St. 81. In the case of the election of members to the Boards of Studies the Registrar shall, at least 35 clear days before the date of election, prepare separate rolls of Teachers according to the various groups of subjects forming Boards of Studies as prescribed above (Statutes 22) and not less than 21 clear days before the date of election shall send to all those whose names are entered in the respective rolls, a notice of election to be held by post in accordance with the procedure prescribed in the Election Rules.

St. 82. The number of to be co-opted by each Board under Clause (iii) of sub-section (2) of Section 24 -- shall not exceed two.

St. 83. After the election of a member to the Academic Council if he is not already a member of a Board of Studies the Academic Council shall on a motion in that behalf by the Committee of -- Deans assign him to one of the said Faculties and in the case of persons with special qualifications to two or more of the said Faculties. (If the Committee of Deans is now in existence, the assignment to Faculties shall take place on a motion in that behalf by the Vice-Chancellor).

Enclosure I
Statute 2

Enclosure II
Statute 3

ELCTION RULES.

/ Vide Section 65(2) (a)(ii) of the Karnatak University Act 1949)/

Re.1. Except as otherwise expressly provided for, all elections to the Authorities of the University will be held in accordance with these rules.

DEFITNIONS:

Re. 2. In this Chpaterunles there is anything repugnant in the subject or context

(1) The expression "elector" with reference to the election of any authority means any person or public association or body entitled to vote at an such/election

(2) The expression "continuing candidate" means any candidate not elected or not excluded from the poll at any given time.

(3) The expression "first preference" means the figure "1" standing alone opposite the name of a candidat "second preference" means the figure "2" standing alone opposite the name of a candidate in succession to the figure "1" ; "third preference" means the figure "3" standing alone opposite the name of a candidate in succession to the figures "1" and "2" and so on.

(4) The expression "next available preference" means a second or subsequent preference recorded in consecutive numerical order for a continuing candidate, the preferences, the next in order on a voting paper for candidates already elected or excluded from the poll being ignored,

(5) The expression "transferable paper" means a voting paper on which following the first preference, a second or subsequent preference is recorded in consecutive numerical order for a continuing candidate.

(6) The expression "non-transferable paper" means a voting paper on which no second or subsequent preference is recorded for a continuing candidate; provided that a peper shall be deemed to have become a non-transferable paper whenever:-

(a) The names of two or more candidates (whether continuing or not) are marked with the same number, and are next in order of preference;

(b) The name of the candidate next in order of preference (whether continuing or not) is marked

i) by a number not following consecutively afte some other number on the voting paper;

or

ii) by two or more numbers.

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(c) for any other reasons it cannot be determined for which of the continuing candidates the next available preference of the elector is recorded.

(7) The expression "original vote" in regard to any candidate means a vote derived from a ballot paper on which a first preference is recorded for that candidate.

(8) The expression "transferable vote" in regard to any candidate means a vote derived from a voting paper on which a second or subsequent preference is recorded for that candidate.

(9) The expression "quota" means the number of votes sufficient to secure the election of a candidate determined at each election by dividing the total number of valid votes cast at an election by a number exceeding by one the number of vacancies to be filled at that election and adding one to the result so arrived at (any fractional remainder being disregarded).

(10) The expression "surplus" means the number of votes by which the total number of the votes, original and transferred, credited to any candidate exceeds the quota.

(11) The expression "count" means

(a) All the operations involved in the counting of the first preferences recorded for candidates;

or

(b) all the operations involved in the transfer of the surplus of an elected candidates;

or

(c) all the operations involved in the transfer of the votes of an excluded candidate or of two or more candidates excluded together.

Re. 3. A voting paper shall be as far as possible, in the following form.

VOTING PAPER.

Karnatak University.

Election by _____

| Mark order of preference in spaces below. | Names of Candidates. |
|---|---|
| | |
| | |
| | |
| | |
| | |

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Re.4. (1) Each elector shall have one transferable vote.

(2) An elector in recording his vote:

(a) must place on his voting paper the figure 1 opposite the name of the candidate for whom he votes; and

(b) may in addition indicate the order of his choice or preference for as many other candidates as he pleases by placing against their respective names ~~of~~ the figures 2,3,4 and so on, in consecutive numerical order.

Re.5. A voting paper is invalid if -

(a) The figure 1 standing alove, indicating a first preference is not placed

or

(b) the figure 1 standing alone, indicating a first preference is placed opposite the name of more than one candidate;

or

(c) the figure 1 standing alone, indicating a first preference and some other figures are placed -- oppoiste the name of the same candidate;

or

(d) it cannot be determined for which candidate the first preference of the voter is recorded.

or

(e) in an election by ballot any mark is placed by the voter by which he may afterwards be identified.

or

(f) there is any erasure or alteration in the figures indicating the voter's preference.

Re. 6. Subject to section 60 of the Act, the Vice-Chancellor shall have the power :

(a) to fix the date of election.

(d) to decide in cases of doubt the validity of invalidity of a vote recorded and to declare the result of each election.

Re. 7. The Vice-Chancellor shall have the power to hold elections in anticipation of vacancies about to occur by efflux of time.

Re.8. Except as otherwise provided for , the Registrar shall be responsible for the conduct of all elections.

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ELECTORAL ROLLS.

Re. 9. The Registrar shall prepare electoral rolls for all persons or public bodies entitled to elect members to the authorities of the University showing the names and address es of all persons, or bodies qualified to vote.

Re.10. Except when an election is held at a meeting the persons, public associations or bodies, as the case may be, entitled to vote at an election to any of the authorities shall be respectively the persons or public associations or bodies whose names are entered on their respective rolls

Re.11. The rolls of persons, public associations or bodies entitled to vote at an election to the Senate shall be prepared and kept open for inspection at the University Office except when otherwise specified at least 35 clear days before the date of election.

Re. 12. The Vice-Chancellor shall have the authority to correct the rolls if any omission or wrong entires be brought to his notice at least 25 clear days before the date of the election. The Vice-Chancellor's decision in the matter shall be final.

Re. 13. Printed copies of the Rolls shall be delivered on application to any person on payment of such fees as may be prescribed ~~xk~~ by the Vice-Chancellor.

NOTICE OF ELECTION.

Re. 14. Whenever there is a vacancy in any authority, the notice of election relating thereto shall be given to all electors, except when otherwise provided, at least 21 clear days before the date of election, and in the said notice the date fixed as the last day for receiving nominations the date fixed for the scrutiny of nominations and the date of election shall be precisely stated and the relevant details regarding the ~~xxxxxx~~ vacancy given.

Re. 15. Subject to the provisions of section 15 of the Act, in all cases where nominations are invited by the Registrar, any two electors, or any two members of ~~xxxxxx~~ a public association or body entitled to vote, may after the election notice is issued, nominate as a candidate

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any person by sending to, or delivering at the University Office a nomination paper before 4 p.m. on the last day fixed for receiving nominations. In the case of an election to the Senate held under clauses (f) and (g) of section 15(1) Class II (A) (iv) nomination papers shall bear an attestation of the President or Chairman of the body concerned stating that the proposer and the seconder were on the date of issue of the notice of election, members of the said association or body.

Re. 16. The last date for the receipt of nominations in the case where an election is to be held at a meeting of any public association, authority or body other than the Senate, of the University, shall be at least seven days before the day of the meeting.

Re. 17. Nomination papers shall be in the prescribed form and shall be dated and signed by two electors or by the members of the public associations or bodies entitled to vote, and shall contain the names in full, address and designations, if any, of the signatories and of the candidate for election unless he signifies his consent on the nomination paper. A nomination paper which does not comply with all the requirements of the Rules shall be rejected.

Re. 18. At any time before the date and hour fixed as the last day and hour for the receipt of nominations, it shall be open to a candidate to withdraw from ~~the election~~ an election, provided that he forwards to the Registrar so as to reach him before the day and hour fixed as aforesaid, an intimation of withdrawal in writing signed by the candidate and attested in the manner prescribed in Rule 23.

Re. 19.

(a) As soon as possible after the last day fixed for the receipt of nominations, at a time and place fixed by the Vice-Chancellor and notified in the notice of election, the Vice-Chancellor, or any person or persons, nominated by him for this purpose, shall scrutinize the nominations. The candidate or his agent duly authorised by him in writing in this behalf shall be entitled to be present at such scrutiny.

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(b) In the case of a dispute or doubt, the Vice-Chancellor shall determine whether a person is disqualified under the Statutes or not.

Re.20. If the number of candidates nominated does not exceed the number of vacancies to be filled, the candidates so nominated shall be declared to have been elected.

Re.21. (a) Elections to the Senate under Section 15(1) Class II (A) (iv) (ii), (f), (g) and (i) and (E) and (F) shall be held by post.

(b) Elections to the Senate under section 15(1) Class II (A) (III) shall be held by ballot at polling centres.

(c) Elections to the Senate under section 15(1) Class II (A) (iv)(a),(b),(c),(d),(e), and (h) may be held either by post or by ballot at a meeting of the association concenrned ; provided once the option is exercised, the procedure to be followed shall be strictly in accordance therewith.

(d) Elections to the Boards of Studies under section 24(2)(a)(ii) shall be held by post.

(e) Elections of the Deans, and elections by any of the authorities of the University to any other of its authorities shall be held at a meeting of such authority in accordance with the procedure laid down in Rules.

PROCEDURE FOR ELECTION BY POST.

Re.22. Where the election is held by 'post' the Registrar shall send, soon after the nominations have been scrutinized to each elector, at his registered address (a) voting paper bearing the name of the constituency, (b) a smaller cover bearing the name of this Constituency and (c) a bigger cover on which are printed on left half the number of the elector and the name of the Constitutency and a form of the certificate of identity and on the right half, the words "To the Registrar, Karnatk University, Dharwar". The voter shall enclose the voting paper duly filled in, but without the name or the signature of the voter, in the smaller cover and enclose this again in the bigger cover, sign the certificate of identity on it, get his signature attested, if any attestation be required, and send it to the Registrar so as to reach the University office before the time announced for election.

Re. 23. The certificate of identity required by Rule 22 shall be signed by the elector or the Chairman or President of the public association or the body entitled to vote, in

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the presence or an shall be attested by a Magistrate a Justice of the Peace, aGazetted Officer of Government, a member of the Senate of the Karnatak University, Dharwar, for the time being, the head master of a High School, or a teacher as defined by the relevant Statute.

Re. 24. An elector who has not received his voting paper and other connected papers sent by post or whose papers before they are returned to the Registrar, have been lost or spoilt in such manner that they cannot be conveniently used, on his transmitting to the Registrar a declaration to that effect signed by himself , may require the Registrar to send him new papers in place of those not received, spoilt or lost; and if the papers have been spoilt, the spoilt papers shall be returned to the Registrar who shall cancel them on receipt . In every case when new papers are issued, amark shall be placed against the number of the elector's name in the Register to denote that new papers have been issued in place of those not received, spoilt,or lost and the old papers shall be deemed as cancelled.

PROCEDRE FOR ELECTION BY BALLOT AT A MEETING.

Re. 25. These rules shall apply only to elections by the Authorities of the University.

Re. 26. The time during which the ballot box shall be kept open for the receipt of voting papers, as determined by the Vice-Chancellor or the senior member convening the said meeting, shall be precisely notified to the voters in the notice of election.

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Re. 27. Ballot papers with the names of persons nominated , printed or typed thereon will be furnished at the meetings held for the purpose of the election. All the members present at the meeting shall be entitled to vote in the election. When two or more authorities or bodies are jointly entitled to elect a representative and the election takes place at a meeting, a member who is common to two or more authorities or bodies shall be entitled to only one vote. The scrutiny shall be conducted by the Registrar and not less than two scrutinisers to be selected by the Chairman of the meeting from among those present at the meeting.

Re. 28. Not less than four clear days before the meeting, the names of the persons duly nominated shall be notified to all those entitled to be present and to vote at the meeting.

PROCEDRE FOR ELECTIONS BY BALLOT AT POLLING CENTRES.

Re. 29. In all cases when an election is held wherein votes are to be recorded at polling centres , the procedure for the recording of votes by ballot shall be as under :-

1) A polling centre shall be provided by the Syndicate and an election officer appointed at places where there is a college or a recognised institution and at such other places as the Vice-Chancellor may fix.

2) The hours of voting at the respective centres of election shall be determined in advance and stated in the notice of election.

3) Names of persons duly nominated shall be notified to the voters as soon as possible after the nominations have been scrutinised.

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4) The election officer shall keep order at the polishing station. No person other than a voter shall ber permitted to enter the polling station.

5) No voter shall be allowed to enter the polling station for recording his vote before the commencement or after the expiry of the period fixed for the purpose.

6) Each polling station shall have such number of compartments as the election officer thinks necessary to enable each voter to record his voice, screened from observation.

7) Immediately before the polling commences, the election Officer shall show to the candidate or his authorised agents present at the station that the ballox box is empty and shall then ~~look~~ lock and seal it for use.

8) Immediately before the ballot paper is issued to a voter the number of the voter shall be entered on the counterfoil and the same shall be signed by the voter and mark shall be placed by the issuing officer in his copy of the electoral roll against the number of the voter to whom the voting paper is issued.

9) The voter on receiving the ballot paper shall forthwith proceed to one of the compartments where he shall mark and put his paper into the ballot box.

10) Every voter shall vote without undue delay, and shall quit the polling station as soon as he has put his ballot paper into the ballot box.

11) If a voter spoils his ballot paper inadvertently, he may may be given another and the spoilt paper and its counterfoil shall be cancelled by the election officer.

Re.30. On receipt of the notification refered to in Statute 13 the public associations or bodies named in clauses (a), (b), (c), (d), (e) and (h) of paragraph (A) under Class II of Section 15(1), shall make the necessary arrangements to hold the election so that the result of the election is known in due time. Such elections shall be held according to the system of proportional representation by means of a single transferable vote, in the manner specified in section 56 of the Act; provided, however, that it shall be

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4) The election officer shall keep order at the polishing station. No person other than a voter shall ber permitted to enter the polling station.

5) No voter shall be allowed to enter the polling station for recording his vote before the commencement or after the expiry of the period fixed for the purpose.

6) Each polling station shall have such number of compartments as the election officer thinks necessary to enable each voter to record his voice, screened from observation

7) Immediately before the polling commences, the election Officer shall show to the candidate or his authorised agents present at the station that the ballox box is empty and shall then ~~look~~ lock and seal it for use.

8) Immediately before the ballot paper is issued to a voter the number of the voter shall be entered on the counterfoil and the same shall be signed by the voter and mark shall be placed by the issuing officer in his copy of the electoral roll against the number of the voter to whom the voting paper is issued.

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[illegible] the public associations or bodies [illegible] (a), (b), (c), (d), [illegible]

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Re. 37.

(1) If, at the end of any count, no candidate has a surplus, or if any existing surplus need not be and is not transferred and one or more vacancies remain to be filled

(a) the Registrar shall exclude from the poll the candidate lowest on the poll.

(b) if the total of the votes of the two or more candidates lowest on the poll together with any surplus not transferred is less than the number of votes credited to the next highest candidate, the Registrar may at the same count exclude the aforesaid two or more candidates lowest on the poll, provided that the exclusion of these candidates shall not reduce the number of continuing candidates, below the number of vacancies remaining to be filled.

(2) If, when a candidate has to be excluded two or more candidates have each the same number of votes and are lowest on the poll, the candidate with the lowest number of votes at the first count at which the candidates in question have unequal number of votes shall be excluded, and, when the numbers of votes credited to these candidates are equal at all counts, the Registrar shall determine by lot who shall be excluded.

(3) Upon the exclusion of any candidate, the Registrar, save as hereinafter provided, shall examine all the papers credited to that candidate, shall sort the transferable papers into sub-parcels according to the next available preferences recording thereon for continuing candidates; shall transfer each sub-parcel to the candidate for whom that preference is recorded; and shall set aside as a separate sub-parcel the non-transferable papers.

Re.38.

(1) If, at the end of any count, the number of elected candidates is equal to the number of vacancies to be filled, no further transfer of votes shall be made.

(2) If, on the exclusion of a candidate the number of the then continuing candidates is equal to the number of vacancies unfilled the continuing candidates shall thereon be elected and no further transfer of votes shall be made.

Re. 39.

The order of priority of election of elected members shall be the order in which they are severally elected. If, at the end of any count two or more candidates are elected, the order of priority shall be according to the number of votes credited to such candidates beginning with the greatest.

As soon as possible after the option to hold the election by post has been exercised, the President or the Chairman of the public association or body, not being the Bombay Legislative Assembly or the Bombay Legislative Council, shall inform the Registrar accordingly. The Vice-Chancellor shall then appoint the President or the Chairman or the Vice-President or the Vice- Chairman of the public association or body as a Returning Officer for the purpose of holding the election. The Returning Officer so appointed shall, for the purpose of such election exercise, as far as may be, the powers of the Registrar under rules 22 to 24(both inclusive) and 32 to 40 (both inclusive) of these Rules.

As soon as possible after the option to hold the election by post has been exercised, the President or the Chairman of the public association or body, not being /6/ the Bombay Legislative Assembly or the Bombay Legislative Council, shall inform the Registrar accordingly. The Vice-Chancellor shall then appoint the President or the Chairman or the Vice-President or the Vice- Chairman of the public association or body as a Returning Officer for the purpose of holding the election. The Returning Officer so appointed shall, for the purpose of such election exercise, as far as may be, the powers of the Registrar under rules 22 to 24(both inclusive) and 32 to 40 (both inclusive) of these Rules.

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at the option of such authority concerned, to hold the the election at a meeting or by post; but once the option is exercised, the procedure to be followed shall be strictly in accordance therewith. On the result of such elections being known , the said association or body concerned shall make a return to the University intimating the names, degrees and addresses of the persons so elected by them signed by the President or Chairman of the association or body concerned and in the case of the Bombay Legislative Assembly and the Bombay Lwgislative Council, by the Secretary to the Bombay Legislative Department.

Re.31. In the case of public bodies or associations specified in clauses (f) and (g) of paragraph (A) (Iv) of Section 15(1) Class II after each nomination has been scrutinised, a voting paper together with a smaller cover and a bigger cover bearing a certificate of identity shall be sent by the Registrar by post to each of the said public associations or bodies for the recording of their votes. In all cases, each of the said public associations or bodies in its corporate capacity shall have one transferable vote and the preferences, if any, shall be recorded and the certificate of identity completed in the manner prescribed by Rule 23.

SCRUTINY AND COUNTING OF VOTING PAPERS.

Re. 32. All voting papers shall be scrutinised by the Registrar and such other person or persons as may be nominated by the Vice-Chancellor. When there are more polling stations than one, voting papers of all the polling stations shall be first mixed up and then scrutinised by the Registrar and such other person or persons as may be nominated by the Vice- Chancellor.

Re.33. After the voting papers for an electoral body have been scrutinised and counted, the Registrar shall examine the voting papers, and shall sort them into parcels according to the first preference, recorded for each candidate, rejecting the voting papers that are invalid.

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Re. 34. The Registrar shall then count the number of papers in each parcel and shall credit each candidate with a number of votes equal to the number of valid papers on which a first preference has been recorded for such candidate and shall ascertain the total number of valid papers, and also determine the quota.

Re. 35. If at the end of any count the number of votes credited to a candidate is equal to or greater than the quota, that candidate shall thereupon be elected.

Re. 36 .

(1) If at the end of any count the number of voted credited to a candidate is greater than the quota, the surplus shall be transferred, as in this Rule provided, to the continuing candidates for whom the next available preferences have been recorded on the voting papers in the parcel or sub-parcel last received by the elcted candidate.

(2) (a) If more than one candidate has a surplus, the largest surplus shall be first dealt with.

(b) If two or more candidates have each an equal surplus, the surplus of the candidate with the greatest numbers of votes at the first count at which the candidates in question have an anequal number of votes shall be first dealt with, ~~With~~ When the numbers of votes credited to such candidates are equal at all counts, the Registrar shall determine by lot which surplus he will first deal with.

(3) The Registrar need not transfer a surplus when that surplus together with any other surplus not transferred, is less than the difference:-

(a) between the votes of the candidate lowest on the poll and the votes of the next highest candidate;

or

(b) between the total of the votes of the two or more candidates lowest on the poll and the votes of the next highest candidate, provided that the exclusion from the poll of ~~af~~ of the aforesaid two or more candidates lowest on the poll shall not reduce the number of continuing candidates below the number of vanancies remaining to be filled.

(4) (a) If the votes credited to an elected candidate consist of original votes only, the Registrar shall examine all the papers contained in the parcel of the elected candidates whose surplus is to be transferred.

(b) If the votes credited to an elected candidate consist of original and transferred votes, or of transferred votes only, the Registrar shall examine the papers contained in the sub-parcel last received by the elected candidates ~~whose~~ whose surplus is to be transferred.

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(c) In either case the Registrar shall sort the transferable papers into sub-parcels according to the next available preferences recorded thereon, shall make a separate sub-parcel of the non-transferable papers and shall ascertain the number of papers in each sub-parcel of non-transferable papers.

(5) If the total number of papers in the sub-parcels of transferable papers is equal to or less than the surplus the Registrar shall transfer the whole of each sub-parcel of transferable papers to the continuing candidate indicated thereon as the electors' next available preference, and shall set aside as a separate parcel so many of the non-transferable papers as are not required for the quota of the elected candidate. The particular papers set aside shall be those last filed in the parcel of non- transferable papers.

(6) (a) If the total number of transferable papers is greater than the surplus, the Registrar shall transfer from each sub- parcel of transferable papers to the continuing candidate indicated thereon as the electors' next available preference the number of papers which bears the same proportion to the number of papers in the sub-parcels as the surplus bears to the total number of transferable papers.

(b) The number of papers to be transferred from each sub-parcel shall be ascertained by multiplying the number of papers in the sub-parcel by the surplus and dividing the result by the total number of transferable papers. A note shall be made of the fractional part, if any, of each number so ascertained.

(c) If owing to the existance of such fractional parts, the number of papers to be transferred is less than the surplus, so many of these fractional parts taken in the order of their magnitude, beginning with the largest, as are necessary to make the total number of papers to be transferred equal to the surplus shall be reckoned as of the value of unity, and the remaining fractional parts shall be ignored.

(d) If two or more fractional parts are of equal magnitude, that fractional part shall be deemed to be the largest which arises from the largest sub-parcel, and if the sub-parcels in question are equal in size, the fractional part credited to the candidate with the greatest number of votes at the first count at which the candidates in question have an unequal numbers of votes shall be deemed to be the largest. When the numbers of votes credited to such candidates are equal at all counts, the Registrar shall determine by lot which fractional part shall be deemed to be the largest.

(e) The particular papers transferred from each sub-parcel shall be those last filled in the sub-parcel and each paper so transferred shall be marked in such a manner as to indicate the count at which the transfer took place.

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Re. 40.

(1) Whenever any transfer is made, each sub-parcel of papers transferred shall be placed on the top of the parcel, if any, of papers of the candidate, to whom the transfer is made and that candidate shall be credited with a number of votes equal to the number of papers transferred to him.

(2) Non-transferable papers (except such as in the transfer of a surplus may be required for the quota of the elected candidate) shall be set aside as a separate parcel together with any parcel of non-transferable papers already set aside.

(3) On the transfer of the surplus of an elected candidate, all papers not transferred to continuing candidates and not set aside as provided in the proceeding paragraph, shall be placed together in one parcel as the quota, of the elected candidate and the parcel shall be marked with the name of the elected candidate.

Re. 41. After the scrutiny is completed, the Registrar shall forthwith report to the Vice-Chancellor the result of the scrutiny.

Re. 42. On the result of the election being reported as aforesaid, the results of the scrutiny showing foreach candidate the number of first votes obtained and the successive additions to or subtractions from the number till the candidate was excluded or elected shall be published by the Registrar and the voting papers shall be destroyed.

Re. 43. The names of the members and the Senate, the Syndicate and the Academic Council shall be published in the Bombay Government Gazette.

Re. 44.

(a) If any candidate is elected to the Senate by more than one constituency he shall, by notice in writing signed by him and delivered to the Registrar of the University within seven days of the publication of the Gazette of the result of the last of such elections chhose which of these constituencies he shall represent and such choice shall be conclusive.

(b) If the candidate does not make the choice referred to herein within the specified period of time, the Vice-Chancellor shall decide which constituency he will represent and his decision shall be final.

(c) When any such choice has been made by the candidate or a decision given by the Vice-Chancellor, the Vice-Chancellor shall direct

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the Registrar to take steps for holding an election in the constituency in which a vacancy has occurred by reason of such choice.

(d) Notwithstanding that such vacancy has not been filled the Senate may proceed tohold Election specified in Rule ~~28-A.~~ 45

SPECIAL ELECTION RULE FOR THE ELECTION BY THE SENATE OF 8 MEMBERS OF THE SYNDICATE.

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Re. ~~28.A.~~ Notwithstanding anything contained in the Statutes and the Rules the election by the Senate of eight members of the Syndicate shall be conducted as follows :-

(1) As soon after the publication of the names of the members of the Senate in the official Gazette as possible, the Registrar shall inform each member of the Senate of the date fixed by the Vice-Chancellor for the election by the Senate of 8 persons from amongst its members to the Syndicate and shall send to each member, fifteen clear days before the prescribed date of election, a list of the members of the Senate and an intimation to the effect that nomination duly proposed and seconded as prescribed in Rule 17 shall be received by the Registrar at his Office upto 4 p.m. on a date not later than 7 clear days before the date of election.

(2) Such nominations shall be in accordance with Rules 17 to 19 in so far as they are applicable

(3) The list of valid nominations shall be sent to each member of the Senate at least 5 clear days before the date of election.

(4) The election shall be conducted in the manner prescribed in Rule 27.

(5) After the scrutiny of voting papers is completed, the Registrar shall report to the Vice-Chancellor the result of the scrutiny and shall publich the same in the manner prescribed in Rules 42 and 43.

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